

INDIAN AIRCRAFT MANUAL



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Chapter I

THE INDIAN AIRCRAFT ACT, 1934

[Corrected upto the 1st Oct. 1945]

CHAPTER I

ACT NO. XXII OF 1934

[PASSED BY THE INDIAN LEGISLATURE]

(Received the assent of the Governor General on the 19th August 1934)

An Act to make better provision for the control of the manufacture, possession, use, operation, sale, import and export of aircraft.

WHEREAS it is expedient to make better provision for the control of the manufacture, possession, use, operation, sale, import and export of aircraft; It is hereby enacted as follows:—

1. Short title and extent.—(1) This Act may be called the Indian Aircraft Act, 1934.

2. It extends to the whole of British India including British Baluchistan and the Sonthal Parganas and applies also—

(a) to British subjects and servants of the Crown in any part of India;
(b) to British subjects who are domiciled in any part of India wherever they may be;

(c) to, and to persons on, aircraft registered in British India wherever they may be.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(1) "aircraft" means any machine which can derive support in the atmosphere from reactions of the air, and includes balloons whether fixed or free, airships, kites, gliders and flying machines;

(2) "aerodrome" means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and include all buildings, sheds, vessels, piers, and other structures thereon or appertaining thereto,

(3) "import" means bringing into British India, and

(4) "export" means taking out of British India.

3. Power of Governor General in Council to exempt certain aircraft.—

The Governor General in Council may, by notification in the Gazette of India, exempt from all or any of the provisions of this Act, any aircraft or class of aircraft and any person or class of persons, or may direct that such provisions shall apply to such aircraft or persons subject to such modifications as may be specified in the notification.

4. Power of Governor General in Council to make rules to implement the Convention of 1919.—The Governor General in Council may, by notification in the Gazette of India, make such rules as appear to him to be necessary for carrying out the Convention relating to the regulation of Aerial Navigation signed at Paris, October 18, 1919, with Additional Protocol, signed at Paris, May 1, 1920, and any amendment which may be made thereto, under the provisions of Article 34 thereof.

5. Power of Governor General in Council to make rules.—(1) The Governor General in Council may, by notification in the Gazette of India, make rules regulating the manufacture, possession, use, operation, sale, import or export of any aircraft or class of aircraft.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the authorities by which any of the powers conferred by or under this Act are to be exercised;

(aa) the regulation of air transport services, and the prohibition of the use of aircraft in such services except under the authority of and in accordance with a licence authorising the establishment of the service;

(ab) the information to be furnished by an applicant for, or the holder of, a licence authorising the establishment of an air transport service to such authorities as may be specified in the rule;

- (b) the licensing, inspection and regulation of aerodromes, the conditions under which aerodromes may be maintained and the fees which may be charged thereat, and the prohibition or regulation of the use of unlicensed aerodromes;
- (c) the inspection and control of the manufacture, repair and maintenance of aircraft and of places where aircraft are being manufactured, repaired or kept;
- (d) the registration and marking of aircraft;
- (e) the conditions under which aircraft may be flown, or may carry passengers, mails or goods; or may be used for industrial purposes and the certificates, licences or documents to be carried by aircraft;
- (f) the inspection of aircraft for the purpose of enforcing the provisions of this Act and the rules thereunder, and the facilities to be provided for such inspection;
- (g) the licensing of persons employed in the operation, manufacture, repair or maintenance of aircraft;
- (h) the air-routes by which and the conditions under which aircraft may enter or leave British India, or may fly over British India, and the places at which aircraft shall land;
- (i) the prohibition of flight by aircraft over any specified area, either absolutely or at specified times, or subject to specified conditions and exceptions;
- (j) the supply, supervision and control of air-route beacons, aerodrome lights, and lights at or in the neighbourhood of aerodromes or on or in the neighbourhood of air-routes;
- (jj) the installation and maintenance of lights on private property in the neighbourhood of aerodromes or on or in the neighbourhood of air-routes, by the owners or occupiers of such property, the payment by the Central Government for such installation and maintenance, and the supervision and control of such installation and maintenance, including the right of access to the property for such purposes;
- (k) the signals to be used for purposes of communication by or to aircraft and the apparatus to be employed in signalling;
- (l) the prohibition and regulation of the carriage in aircraft of any specified article or substance;
- (m) the measures to be taken and the equipment to be carried for the purpose of ensuring the safety of life;
- (n) the issue and maintenance of log-books;
- (o) the manner and conditions of the issue or renewal of any licence or certificate under the Act or the rules, the examinations and tests to be undergone in connection therewith, the form, custody, production, endorsement, cancellation, suspension or surrender of such licence or certificate, or of any log-book;
- (p) the fees to be charged in connection with any inspection, examination, test, certificate or licence, made, issued or renewed under this Act;
- (q) the recognition for the purposes of this Act of licences and certificates issued elsewhere than in British India relating to aircraft or to the qualifications of persons employed in the operation, manufacture, repair or maintenance of aircraft; and
- (r) any matter subsidiary or incidental to the matters referred to in this sub-section 1 [including the taking of steps necessary to secure compliance with, or to prevent contravention of, the rules regulating such matters, or, where any such rule has been contravened, to rectify, or to enable proceedings to be taken in respect of, such contravention].

If] Inserted by the Defence of India Act, 1939 (XXXV 1939) and has effect during the continuance of that Act.

(3) **Rules to be laid before both Chambers.**—Every rule made under this section shall be laid as soon as may be after it is made before each of the Chambers of the Central Legislature, while it is in session, for a total period of one month which may be comprised in one session or in two or more sessions, and if before the expiry of that period, or where the period for which the rule is so laid, before one Chamber does not coincide with that for which it is so laid before the other, before the expiry of the later of these periods, both Chambers agree in making any modification in the rule or both Chambers agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be."

6. Power of Governor General in Council to make orders in emergency.—

(1) If the Governor General in Council is of opinion that in the interests of the public safety or tranquillity the issue of all or any of the following orders is expedient, he may, by notification in the Gazette of India,—

(a) cancel or suspend, either absolutely or subject to such conditions as he may think fit to specify in the order, all or any licences or certificates issued under this Act;

(b) prohibit, either absolutely or subject to such conditions as he may think fit to specify in the order, or regulate in such manner as may be contained in the order, the flight of all or any aircraft or class of aircraft over the whole or any portion of British India;

(c) prohibit, either absolutely or conditionally, or regulate the erection, maintenance, or use of any aerodrome, aircraft factory, flying-school or club, or place where aircraft are manufactured repaired or kept, or any class or description thereof; and

(d) direct that any aircraft or class of aircraft or any aerodrome, aircraft factory, flying-school or club, or place where aircraft are manufactured, repaired or kept, together with any machinery, plant, material or things used for the operation, manufacture, repair or maintenance of aircraft shall be delivered, either forthwith or within a specified time, to such authority and in such manner as he may specify in the order, to be at the disposal of His Majesty for the public service.

(2) Any person who suffers direct injury or loss by reason of any order made under clause (c) or clause (d) of sub-section (1) shall be paid such compensation as may be determined by such authority as the Governor General in Council may appoint in this behalf.

(3) The Governor General in Council may authorise such steps to be taken to secure compliance with any order made under sub-section (1) as appear to him to be necessary.

(4) Whoever knowingly disobeys, or fails to comply with, or does any act in contravention of, an order made under sub-section (1) shall be punishable, with imprisonment for a term which may extend to three years, or with fine, or with both, and the Court by which he is convicted may direct that the aircraft or thing (if any) in respect of which the offence has been committed, or any part of such thing, shall be forfeited to His Majesty.

7. Power of Governor General in Council to make rules for investigation of accidents.—(1) The Governor General in Council may, by notification in the Gazette of India, make rules providing for the investigation of any accident arising out of or in the course of the navigation—

(a) in or over British India of any aircraft, or

(b) anywhere of aircraft registered in British India.

(2) Without prejudice to the generality of the foregoing power, such rules may—

(a) require notice to be given of any accident in such manner and by such person as may be prescribed;

(b) apply for the purposes of such investigation, either with or without modification, the provisions of any law for the time being in force relating to the investigation of accidents;

(c) prohibit pending investigation access to or interference with aircraft to which an accident has occurred, and authorise any person so far as may be necessary for the purposes of an investigation to have access to, examine, remove, take measures for the preservation of, or otherwise deal with any such aircraft; and

(d) authorise or require the cancellation, suspension, endorsement or surrender of any licence or certificate granted or recognised under this Act, when it appears on an investigation that the licence ought to be so dealt with, and provide for the production of any such licence for such purpose.

✓ 8. Power to detain aircraft.—(1) Any authority authorised in this behalf by the Governor General in Council, may detain any aircraft, if in the opinion of such authority—

(a) having regard to the nature of an intended flight, the flight of such aircraft would involve danger to persons in the aircraft or to any other persons or property; or

(b) such detention is necessary to secure compliance with any of the provisions of this Act or the rules applicable to such aircraft; or, such detention is necessary to prevent a contravention of any rule made under¹ [clauses (d), (e), (h), (i), (k) or (l) of sub-section (2) of section 5, or the commission of an offence punishable under section 11].

(2) The Governor General in Council may, by notification in the Gazette of India, make rules regulating all matters incidental or subsidiary to the exercise of this power.

8A. Power of Governor General in Council to make rules for protecting the public health.—The Governor General in Council may, by notification in the Gazette of India, make rules for the prevention of danger arising to the public health by the introduction or spread of any infectious or contagious disease from aircraft, arriving at or being at any aerodrome and for the prevention of the conveyance of infection or contagion by means of any aircraft leaving an aerodrome and in particular and without prejudice to the generality of this provision may make, with respect to aircraft and aerodrome or any specified aerodrome, rules providing for any of the matters for which rules under sub-clauses (i) to (viii) of clause (p) of sub-section (1) of section 6 of the Indian Ports Act, 1908, may be made with respect to vessels and ports.

8B. Emergency powers for protecting the public health.—(1) If the Central Government is satisfied that India or any part thereof is visited by or threatened with an outbreak of any dangerous epidemic disease, and that the ordinary provisions of the law for the time being in force are insufficient for the prevention of danger arising to the public health through the introduction or spread of the disease by the agency of aircraft the Central Government may take such measures as it deems necessary to prevent such danger.

(2) In any such case the Central Government may, without prejudice to the powers conferred by section 8A, by notification in the official Gazette, make such temporary rules with respect to aircraft and persons travelling or things carried therein and aerodromes as it deems necessary in the circumstances.

(3) Notwithstanding anything contained in section 14, the power to make rules under sub-section (2) shall not be subject to the condition of the rules being made after previous publication, but such rules shall not remain in force for more than three months from the date of notification.

¹[] Substituted for clause (b) or clause (i) of subsection (2) of section 5 by Defence of India Act, and has effect during the continuance of that Act.

Provided that the Central Government may by special order continue them in force for a further period or periods of not more than three months in all.

9. Wreck and salvage.—(1) The provisions of Part VII of the Indian Merchant Shipping Act, 1923 (XXI of 1923), relating to Wreck and Salvage shall apply to aircraft on or over the sea or tidal waters as they apply to ships, and the owner of an aircraft shall be entitled to a reasonable reward for salvage services rendered by the aircraft in like manner as the owner of a ship.

(2) The Governor General in Council may, by notification in the Gazette of India, make such modifications of the said provisions in their application to aircraft as appear necessary or expedient.

10. Penalty for act in contravention of rule made under this act.—In making any rule under section 5, section 7, section 8, section 8-A or section 8-B, the Governor General in Council may direct that a breach of it shall be punishable with imprisonment for any term not exceeding three months, or with fine of any amount not exceeding one thousand rupees, or with both.

11. Penalty for flying so as to cause danger.—Whoever wilfully flies any aircraft in such a manner as to cause danger to any person or to any property on land or water or in the air [or in such a manner as to interfere with any of His Majesty's forces, ships or aircraft] shall be punishable with imprisonment for a term which may extend to six months, or with fire which may extend to one thousand rupees, or with both.

12. Penalty for abetment of offences and attempted offences.—Whoever, abets the commission of any offence under this Act or the rules, or attempts to commit such offence, and in such attempt does any act towards the commission of the offence, shall be liable to the punishment provided for the offence.

13. Power of Court to order forfeiture.—Where any person is convicted of an offence punishable under any rule made under ²[clauses (c), (d), (e), (h), (i), (j), (k) or (l) of sub-section (2) of section 5, or punishable under section 11], the Court by which he is convicted may direct that the aircraft or article or substance, as the case may be, in respect of which the offence has been committed, shall be forfeited to His Majesty.

14. Rules to be made after publication.—Any power to make rules conferred by this Act is subject to the condition of the rules being made after previous publication for a period of not less than three months].

15. Use of patented invention on aircraft not required in British India.—The provisions of section 42 of the Indian Patents and Designs Act, 1911 (II of 1911), shall apply to the use of an invention on any aircraft not registered in British India in like manner as they apply to the use of an invention in a foreign vessel.

16. Power to apply customs procedure.—The Governor General in Council may, by notification in the Gazette of India, declare that any or all of the provisions of the Sea Customs Act, 1878 (VIII of 1878), shall, with such modifications and adaptations as may be specified in the notification, apply to the import and export of goods by air.

¹ Inserted by the Defence of India Act, 1939 (XXXV of 1939) and has effect during the continuance of that Act.

² Substituted for ' clause (i) or clause (l) of sub-section (2) of section 5 ' by the Defence of India Act, 1939 (XXXV of 1939), and has effect during the continuance of that Act.

³ This section ceases to have effect during the continuance of the Defence of India Act, 1939 (XXXV of 1939).

17. Bar of certain suits.—No suit shall be brought in any Civil Court in respect of trespass or in respect of nuisance by reason only of the flight of aircraft over any property at a height above the ground which having regard to wind, weather and all the circumstances of the case is reasonable, or by reason only of the ordinary incidents of such flight.

18. Saving for acts done in good faith under the Act.—No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

19. Saving of application of Act.—(1) Nothing in this Act or in any order or rule, made thereunder shall apply to or in respect of any aircraft belonging to or exclusively employed in His Majesty's naval, military or air forces, or to any person in such forces employed in connection with such aircraft.

(2) Nothing in this Act or in any order or rule made thereunder shall apply to or in respect of any lighthouse to which the Indian Lighthouse Act, 1927 (XVII of 1927), applies or prejudice or affect any right or power exercisable by any authority under that Act.

20. Repeals.—The Indian Aircraft Act, 1911 (XVII of 1911), the entry relating thereto in the First Schedule to the Repealing and Amending Act, 1914 (X of 1914), and the Indian Aircraft (Amendment) Act, 1914 (XVI of 1914), are hereby repealed.

Chapter II
INDIAN AIRCRAFT RULES, 1937

[Corrected upto the 1st Oct. 1945.]

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CHAPTER II

DEPARTMENT OF INDUSTRIES AND LABOUR

NOTIFICATION

New Delhi, the 28th March 1937

NO. V-26.—In exercise of the powers conferred by sections 5 and 7 and sub-section (2) of section 8 of the Indian Aircraft Act, 1934 (XXII of 1934), and section 4 of the Indian Telegraph Act, 1885 (XIII of 1885), and in supersession of the Indian Aircraft Rules, 1920, with the exception of Part IX thereof, the Governor General in Council is pleased to make the following rules, the same having been previously published, as required by section 14 of the former Act, namely:—

RULES.

PART I.—PRELIMINARY.

1. Short title and extent—

(1) These rules may be called the Indian Aircraft Rules, 1937.

(1A) They extend to the whole of British India including Berar, and every reference therein to British India shall be construed as including a reference to Berar.

(2) They apply (unless the contrary intention appears) to all aircraft for the time being in or over British India, provided that in the case of aircraft registered elsewhere than in British India, for the provisions of Parts IV, V, VI and IX of these rules relating to registration, licensing of personnel, airworthiness and log books there shall be substituted the regulations of the State in which the aircraft is registered.

2. Nationality of aircraft.—An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

3. Definitions and Interpretation.—(1) In these rules, unless there is anything repugnant in the subject or context—

“Acrobatics” means any aerial manœuvres voluntarily accomplished other than those which are carried out in the course of normal flight;

“Aerial work aircraft” means aircraft used for an industrial or commercial purpose or any lucrative purpose other than public transport;

“Aerodrome” means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers and other structures thereon or appertaining thereto;

“Aerodrome light” means any light exhibited at an aerodrome for the purpose of assisting the navigation of manœuvres of an aircraft or of signalling to or from an aircraft;

“Aerodyne” means an aircraft, whose support in flight is derived dynamically from the reaction on surfaces in motion relative to the air, and includes all aeroplanes, helicopters, gyroplanes, gliders and kites;

“Aeroplane” means a mechanically driven aerodyne supported by aerodynamic reactions on surfaces remaining fixed under the same conditions of flight;

“Aerostat” means an aircraft supported in the air statically and includes all airships and balloons;

“Aircraft” means any machine which can derive support in the atmosphere from reactions of the air, and includes balloons whether fixed or free, airships, kites, gliders and flying machines;

“Airship” means a mechanically driven aerostat, having means of directional control;

“Balloon” means an aerostat, not provided with mechanical means of propulsion;

"Contracting State" means any state which is for the time being a party to the Convention relating to the Regulation of Aerial Navigation signed at Paris, October 18, 1919, with the additional Protocol, signed at Paris, May 1, 1920, and any amendment which may be made thereto under the provisions of Article 84 thereof;

"Course" means the forward direction of the intersection of the plane of symmetry (supposed vertical) of an aircraft with a horizontal plane. It is defined by the angle which it makes with a meridian of origin. By extension the angle itself;

"Export" means taking out of British India;

"Flying machine" means a mechanically driven aerodyne, and includes all aeroplanes, helicopters and gyroplanes;

"Glider" means an aerodyne supported in flight by aerodynamic reactions on surfaces remaining fixed under the same conditions of flight and not provided with mechanical means of propulsion;

"Government aerodrome" means an aerodrome which is maintained by or on behalf of Government;

"Import" means bringing into British India;

"Landing area" means that part of an aerodrome reserved for the departure or landing of aircraft;

"Making way": An aircraft is said to be "making way" when under way in the air or on the surface of the water, it has a velocity relative to the air or water respectively;

"Military aircraft" includes naval, military and airforce aircraft; and every aircraft commanded by a person in naval, military or airforce service detailed for the purpose shall be deemed to be a military aircraft;

"Normal flight" means flight comprising climbing, horizontal flight, turning and descending; provided, however, that it does not entail abrupt variations in height or in the attitude of the aircraft;

"On the surface of the water": An aircraft is deemed to be "on the surface of the water" so long as any portion of it is in contact with the water;

"Passenger aircraft", "mail aircraft" and "goods aircraft" means aircraft which effect public transport of passengers, mails or goods respectively;

"Personnel" in relation to any aircraft means the person in charge, pilot, navigator, engineer, and all other members of the crew;

"Petroleum in Bulk" means petroleum contained in a receptacle exceeding two hundred gallons in capacity.

"Private aircraft" means all aircraft other than aerial work aircraft or public transport aircraft;

"Prohibited area" means an area over which the navigation of aircraft is prohibited under rule 12.

"Public transport" means all carriage of persons or things effected by aircraft for a remuneration of any nature whatsoever, and all carriage of persons or things effected by aircraft without such remuneration if the carriage is effected by an air transport undertaking;

"Public transport aircraft" means an aircraft which effects public transport;

"State aircraft" includes military aircraft and aircraft exclusively employed in State service, such as posts, customs, police;

"Subsequent aircraft" means an aircraft which is constructed in accordance with the design and specification of a type of aircraft, which has been approved or accepted by the Governor General in Council for the issue of a certificate of airworthiness;

"Take off" includes all the successive positions of an aeroplane from the moment it moves from rest until the moment of starting normal flight;

"To land" is the action under normal conditions of making contact with the ground or a solid platform or water by an aircraft equipped for this purpose;

"Under way": An aircraft is said to be "under way" when, being in the air or on the surface of the water, it is not moored to the ground or to any fixed object on land or in the water;

"Under control": An aircraft is said to be "under control" when it is able to manœuvre as required by these Rules;

"Visible" as applied to lights means visible on a dark night with a clear atmosphere;

(2) Any power or duty conferred or imposed by these rules on the Governor General in Council may be exercised or discharged by the Governor General in Council or by any person authorised by him in that behalf.

(3) The exercise or discharge of any power or duty conferred or imposed by rule 19 or Part V or Part VI of these Rules on the Central Government by an authority outside British India specified by the Central Government in that behalf, shall have effect in British India as though the power had been exercised or the duty had been discharged by a person authorised in this behalf under sub-rule (2).

ART II.—GENERAL CONDITIONS OF FLYING

4. Use and operation of aircraft.—No person shall use or operate or assist in using or operating an aircraft save in accordance with these rules.

5. Registration and nationality and registration marks.—No person shall fly, or assist in flying any aircraft unless—

(a) it has been registered, and

(b) it bears its nationality and registration marks and the name and residence of the owner affixed or painted thereon in accordance with rule 37, or, in the case of aircraft registered elsewhere than in British India, in accordance with the regulations of the State in which it is registered:

Provided that the prohibition imposed by this rule shall not apply to aircraft flown in accordance with the special permission in writing of the Governor General in Council and subject to any conditions and limitations which may be specified in such permission.

6. Licensing of personnel.—Every aircraft shall carry and be operated by the personnel prescribed in Part V of these rules and such personnel shall be licensed in the manner prescribed in that Part:

Provided that in the case of aircraft not registered in British India, such personnel shall be licensed in accordance with the regulations of the state in which the aircraft is registered:

Provided further that this rule shall not apply to an aircraft flown by a person under instruction or undergoing tests for the purpose of obtaining or renewing a pilot's licence if—

(a) the aircraft is flown within 8 miles of a licensed aerodrome or a Government aerodrome,

(b) the aircraft carries no passengers, and

(c) prior notice of the flight and of the purpose of the flight is given to the person in charge of the aerodrome from which the flight is made.

X 7. Documents to be carried in aircraft—

(1) No person in charge of any public transport aircraft shall allow such aircraft to be flown unless the following documents are carried on board the aircraft, namely:—

- (i) the certificate of registration,
- (ii) the licences of the personnel,
- (iii) the certificate of airworthiness,

(iv) the journey log book in cases where the keeping of a journey log book is prescribed in Part IX,

(v) working copies of the aircraft and engine log books prescribed by Part IX, whenever the aircraft leaves its normal station,

(vi) where radio-telegraph apparatus is carried in the aircraft, the permit or licence issued by the Director General of Posts and Telegraphs, under which such apparatus is carried:

Provided that where a licence or other document has been submitted to a competent authority under these Rules for renewal or other action that fact shall be deemed a valid excuse for its not being carried on board the aircraft.

(2) No person in charge of any aircraft engaged in international navigation shall allow such aircraft to be flown unless the following documents issued by the State in which the aircraft is registered are carried on board the aircraft, namely:—

- (i) the certificate of registration,
- (ii) the licences of the personnel,
- (iii) the certificate of airworthiness,
- (iv) the journey log book,
- (v) the aircraft and engine log books,

(vi) where radio-telegraph apparatus is carried in the aircraft, the permit or licence for such apparatus,

(vii) a list showing the name, permanent address, nationality and place of origin of each member of the crew,

(viii) a stores list showing the nature and quantity of all stores carried,

(ix) where the aircraft carries passengers, a list showing the name, permanent address, nationality, place of origin, immediate destination and ultimate destination of every passenger,

(x) where the aircraft carries goods, air consignment notes and manifests in respect thereof, showing a description of the goods, the nature of the contract of carriage, the names and addresses of the consignor and the consignee, and the immediate and ultimate destination of the goods.

(3) The provisions of sub-rule (2) shall also apply to aircraft not engaged in international navigation (other than aircraft which do not leave the vicinity of their starting place and which return without landing elsewhere to their starting place) with the following modifications, namely:—

(a) The aircraft need not carry a certificate of airworthiness, unless otherwise required by these Rules to be in possession of the same.

(b) Working copies of the aircraft and engine log books may be carried in lieu of the aircraft and engine log books.

7A. Prohibition of carriage of persons without passports.

(1) No person in charge of any aircraft shall allow such aircraft to enter British India from a place outside India unless all persons on board the aircraft are in possession of valid passports as required by rules for the time being in force made under the Indian Passport Act, 1920 (XXXIV of 1920).

(2) Where an aircraft is brought into British India in contravention of sub-rule (1), any authority empowered by the Central Government, generally or specially, in this behalf may direct the owner or the person in

charge of the aircraft to take on board and remove from British India, or otherwise arrange for the immediate removal from British India of the person or persons without valid passports, and the owner, or as the case may be, the person in charge, of the aircraft shall comply with such directions.

8. Carriage of explosives and arms.—No person in, or in charge of, an aircraft shall carry or permit to be carried therein, any explosives, articles of a highly inflammable nature, arms, ammunition, or military stores other than:—

(a) such explosives or other articles as may be required for, and are not kept for any other purpose than, the working or handling of aircraft;

(b) such explosives or other articles as may be carried by air for, or on the instructions of, Government; and

(c) subject to the provisions of the Indian Arms Act, 1878, and the rules made thereunder, and subject to such further restrictions as may be imposed by the owner of the aircraft regarding their carriage, such arms and ammunition as may reasonably be required for the private use of any person, either as personal luggage or as freight:

Provided that such explosives, articles, arms and ammunition, when carried in a passenger aircraft, shall be, placed in a receptacle or receptacles not accessible to the passengers.

9. Radio-telegraph Apparatus—

(1) No person shall operate radio-transmitting apparatus in any aircraft registered in British India unless he holds a licence of the type required by the provisions of Part V in respect of aircraft required by these rules to carry radio-telegraph or radio-telephone apparatus, as the case may be, and issued in accordance with those provisions.

(2) Radio-transmitting apparatus carried in aircraft shall be operated under the conditions defined by the International Tele-communication Convention (Madrid 1932) and the general radio-communication regulations annexed thereto as far as these apply and shall be operated only during the hours in which such operation is permitted by the Governor General in Council.

(3) Aircraft registered in British India and required by these rules to carry radio-telegraph apparatus shall be fitted with such apparatus in accordance with the provisions of Part VII.

(4) Nothing in this rule shall exempt any person from those provisions of the Indian Telegraph Act, 1885, and the rules made thereunder which require that radio-telegraph apparatus shall be licensed.

10. Mails.—No person shall carry mails or allow mails to be carried in any aircraft except with the consent in writing of the Director-General of Posts and Telegraphs.

11. Aerodromes.—(1) No pilot or person in charge of any aircraft carrying passengers for hire or reward shall use any place for a series of landings and departures, and no pilot or person in charge of any aircraft employed on a scheduled air transport service, shall use any place as a regular place of landing or departure other than an aerodrome licensed or approved for the purpose in accordance with the provisions of Part XI.

(2) No person being the proprietor of an aerodrome other than an aerodrome mentioned in sub-rule (1) shall permit the aerodrome to be used in contravention of that sub-rule.

(3) No person other than the occupant of an aircraft manœuvring in accordance with these rules may enter upon the landing area of an approved or licensed aerodrome without the consent of the person in charge of the aerodrome.

12. Prohibited areas—

(1) No person shall fly or assist in flying an aircraft over any of the areas specified in Schedule I save in accordance with the conditions specified in that Schedule.

(2) Every pilot, who, when flying an aircraft, finds himself above a prohibited area in contravention of sub-rule (1), shall, as soon as he is aware of the fact, give the signal of distress specified in sub-rule (2) of rule 107, and shall land the aircraft as soon as possible outside the prohibited area at one of the nearest aerodromes in British India:

Provided that he shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

(3) When the signals prescribed in rule 111 are given, the pilot of the aircraft shall immediately change his course and fly away from the prohibited area.

(4) When the signals prescribed in rule 110 are given, the pilot shall immediately give the signal referred to in sub-rule (2) of this rule and land the aircraft in accordance with that sub-rule.

12A. Except under, and in accordance with, the terms and conditions of a permit issued by the Director of Civil Aviation in India—

(1) no aircraft registered in India shall leave British India for the purpose of a flight to a place outside India;

(2) no aircraft shall leave British India for the purpose of a flight to any territory which the Central Government may by notification in the official Gazette declare to be prohibited.

13. Photography from aircraft.—No person shall take, or cause or permit to be taken from an aircraft any photograph of a prohibited area or of any part thereof, or of any object therein.

14. Aerial work and public transport reserved for certain aircraft.—No aircraft registered in accordance with Part IV in Category B shall be used as an aerial work aircraft or as a public transport aircraft:

Provided that the Governor General in Council may from time to time permit, and impose restrictions on the performance of aerial work or public transport by aircraft other than those registered in accordance with Part IV in Category A, and such restrictions shall be deemed to have been effectively imposed if they have been notified in writing to the owner or operator of such aircraft or by notification in the Gazette of India.

15. Conditions to be complied with by aircraft in flight.—No aircraft engaged in international navigation, passenger aircraft, goods aircraft or mail aircraft, and no aircraft let out for hire for the purpose of being flown by the hirer, or by any other person shall be flown unless the following conditions are complied with, namely:—

(i) the aircraft shall be certified as airworthy and shall be maintained in airworthy condition in accordance with the provisions of Part VI or (in the case of an aircraft not registered in British India) in accordance with the regulations of the State in which the aircraft is registered;

(ii) all the terms or conditions on which the certificate of airworthiness was granted shall be duly complied with;

(iii) the aircraft shall carry on board its certificate of airworthiness and any other certificates prescribed by Part VI, or by the regulations of the State in which the aircraft is registered, which it is required to carry on board. The certificate of airworthiness shall be carried in the pocket of the journey log book;

(iv) the aircraft shall be fitted with and shall have in working order such instruments and equipment as are prescribed in Part VI for an aircraft of that class or description:

Provided that the Governor General in Council may, by order in writing and subject to such conditions as may be contained in the order, exempt any aircraft from the operation of this rule.

Explanation.—For the purpose of this rule, aircraft let out on payment for instructional or other purposes by a flying club or flying school to a member or pupil thereof shall be deemed to be let out for hire.

16. Rules of the Air.—Every pilot and navigator shall observe, and every person in charge of an aircraft shall cause to be observed, all the rules of the air contained in Part XII, and shall take all such steps as are practicable to secure that when the aircraft is in flight or is being manœuvred on the land or water, the windows, wind screens or side screens of the aircraft through which the pilot obtains his view forward or sideways are maintained in such condition as not to obscure his view.

17. Production of licences, etc.—Any licence, certificate, log book or document granted or required to be maintained under these rules shall, on demand for the purpose of inspection, by any magistrate, any police officer above the rank of constable, any Customs-Officer, any commissioned officer of His Majesty's naval, military or air forces, any non-commissioned officer of the Royal Air Force, any gazetted officer of the Civil Aviation Department, or any other person authorised by the Governor General in Council by special or general order in writing in this behalf, be produced by the licensee or, in the case of an aircraft or of a licensed aerodrome, by the owner, hirer or person in charge thereof:

Provided that any such licence, certificate, log book, or document relating to an aircraft or its personnel which is not by these Rules required to be carried in the aircraft shall be produced within seven days of the making of the demand.

18. Prevention of flights in contravention of the rules.

(1) An authority authorised under Section 8 of the Indian Aircraft Act, 1934, to detain aircraft may do so by the issue of a written direction to the pilot or other person for the time being in charge of the aircraft to be detained, or by taking such other steps as may be necessary to make the detention effective. If an aircraft detained by a person so authorised is housed or kept at a Government aerodrome the housing or picketing charges normally applicable shall be payable in respect of the whole period during which it is detained.

(2) Any person acting in contravention of any direction given under this rule shall, without prejudice to any other penalty he may incur, be deemed to have acted in contravention of these Rules.

19. Cancellation, suspension or endorsement of licences and certificates.

(1) Where any person is convicted of a contravention of or failure to comply with these rules in respect of any aircraft the Governor General in Council may cancel or suspend any certificate of registration granted under these Rules relating to that aircraft.

(2) The Governor General in Council may cancel or suspend any certificate relating to the airworthiness of an aircraft granted under these Rules if he is satisfied that reasonable doubt exists as to the safety of the aircraft in question or of the type to which the aircraft in question belongs and may vary the conditions attached to any such certificate if he is satisfied that those conditions may properly be relaxed or that reasonable doubt exists whether those conditions afford a sufficient margin of safety.

(3) The Governor General in Council may for reasons which shall be recorded in writing cancel, suspend or endorse any certificate or licence

granted under these Rules if he is satisfied that there is sufficient ground for so doing and may suspend any such certificate or licence temporarily during the investigation of any matter forming a ground for action under this sub-rule.

(4) The Governor General in Council may cancel or vary any particulars entered by him or under his authority in any licence or certificate granted or in any journey log book issued under these Rules.

(5) The Governor General in Council may require the holder of any licence, certificate or other document granted or issued under these rules or any person having possession or custody of such licence, certificate or document to surrender the same to him for cancellation, suspension, endorsement or variation and any person failing to comply with any such requirement within a reasonable time shall be deemed to have acted in contravention of these Rules.

20. Certain rules not applicable to gliders and kites.—Rules 5, 6, 7, 12, 15, 17, 19 and 25 shall not apply to gliders, and rules 5, 6, 7, 12, 15, 17, 19 and the rules in Part III, with the exception of rule 26 in so far as it relates to the dropping of articles from aircraft, shall not apply to kites.

PART III.—GENERAL SAFETY CONDITIONS

21. Dangerous flying.—No person shall fly any aircraft in such circumstances as, by reason of low altitude or proximity to persons or dwellings or for any other reason, to cause unnecessary danger to any person or property.

22. Flying over cities, etc.—No pilot shall fly any aircraft, and no person in charge of any aircraft shall allow it to be flown over any city, town, village site or other populous area except at such altitude, which in no case shall be less than 1,000 feet, as will enable the aircraft to land outside the city, town, village site or other populous area in the event of an emergency:

Provided that thus prohibition shall not apply within a distance of one mile from a licensed aerodrome or a Government aerodrome.

23. Acrobatics—

(1) No person shall use any aircraft for acrobatics—

(a) when flying over any city, town, village site or populous area; or

(b) when flying over any meeting for public games or sports or other public assembly, except where a request for such flying has been made in writing by the promoters of such meeting or assembly.

(2) When an aircraft is used for acrobatics—

(a) it shall be flown by a licensed pilot, or, if it is flown by a person for the purpose of qualifying for a licence under these Rules, such person shall be accompanied by a licensed pilot instructor;

(b) if passengers are carried, whether the carriage is public transport or not, their previous consent to the performance of acrobatics shall be obtained in writing;

(c) the pilot or person in charge of the aircraft shall satisfy himself before commencing the flight that every person carried in the aircraft, is properly secured by safety belts; and

(d) the acrobatics shall be concluded at a height above the ground not less than 2,000 feet, or such lower altitude as the Governor General in Council may permit by special order in writing.

24. Prohibition of intoxicated persons entering aircraft.—No person acting as, or carried in an aircraft for the purpose of acting as, pilot, commander, navigator, engineer or operating member of the crew thereof,

shell, while so acting or carried, be in a state of intoxication or in a state in which, by reason of his having taken or used any sedative, narcotic or stimulant drug or preparation, his capacity so to act is impaired; and no other person while in a state of intoxication shall enter or be in any aircraft.

25. Smoking in aircraft—

(1) The owner of every aircraft registered in British India which is provided with a certificate of airworthiness shall cause to be exhibited in a prominent place in the aircraft a notice stating where and to what extent smoking is prohibited or permitted therein

(2) A notice permitting smoking in such aircraft may be exhibited therein only if smoking in the aircraft is permitted by the certificate of airworthiness of the aircraft or by the direction of the Governor General in Council and only in accordance with the conditions relating to smoking contained in such certificate or direction

(3) No person shall smoke in any aircraft registered in British India which is provided with a certificate of airworthiness unless a notice permitting smoking is exhibited in the aircraft, and any person smoking shall comply with all the terms of such notice.

25A. Fuelling of aircraft.—(1) No aircraft shall fill or replenish its fuel tanks from vehicles or vessels carrying petroleum in bulk unless from specially constructed tank vehicles of a type approved by the Chief Inspector of Explosives in India for this purpose or from barges licensed under the Petroleum Rules, 1937.

(2) Before the commencement of refuelling, the aircraft, its fuel tanks and all metallic parts of the fuel dispensing apparatus shall be electrically connected and efficiently earthed.

(3) No smoking and no fire or other source of heat or light capable of igniting inflammable vapour shall be permitted within 100 feet of any aircraft while it is being or is about to be fuelled.

(4) All aircraft engines within the distance specified in sub-rule (3) shall be stopped so long as fuelling is in progress.

(5) No electric motor shall be used inside an aircraft during refuelling.

(6) During the fuelling of aircraft used for the conveyance of passengers, the passengers may be permitted to remain in the cabin of the machine provided that—

(i) there is no smoking in the aircraft;

(ii) an employee of the operator is stationed in the entrance to the passenger cabin and remains alert for any emergency until refuelling is completed; and

(iii) in the case of seaplanes a suitable boat is kept alongside to disembark the passengers in an emergency.

(7) Fuel tanks shall not be allowed to over-flow except through special pipes incorporated in the system, which will prevent the fuel from running on to the aircraft surface, the ground or the water.

(8) All engine fuel cocks shall be closed while refuelling.

(9) Except as provided in this sub-rule all electric switches in the aircraft shall remain in the "off" position during the operation of refuelling and all electric circuits other than those required or permitted to be in operation by this sub-rule shall be controlled by a master switch or switches which shall be in the "off" position. The following electric switches may be operated or left in the "on" position as the case may require provided that the electric circuits involved are separate from all other electric circuits in the

aircraft and that the switches and lights in operation are enclosed in gas-proof covers:—

(i) Electric switches controlling the riding lights of seaplanes or any other lights required by law to be exhibited on the aircraft while on the surface of the water, shall be left in the "on" position.

(ii) Electric switches controlling interior lights in the aircraft which are necessary for safety may be left in the "on" position.

(iii) Electric switches controlling petrol gauges which it is essential to operate may be operated or left in the "on" position as may be required by the particular installation.

25B. Housing of aircraft.—(1) No aircraft containing dangerous petroleum in bulk in any of its tanks may be housed in a hangar unless such hangar is constructed of uninflammable material and is effectively and safely ventilated to the open air.

(2) Every such hangar shall be in charge of a competent person who shall be responsible for taking all proper precautions against fire and shall prevent unauthorised persons from having access to the building.

26. Parachute descents and dropping of articles.—No person shall, except in a case of emergency, descend by means of a parachute from an aircraft and no person shall drop or cause or permit to be dropped from an aircraft any article, whether attached to a parachute or not, unless the descent is made or the article is dropped in accordance with and subject to any conditions or limitations contained in a general or special order of the Governor General in Council in writing in that behalf:

Provided that nothing in this rule shall be deemed to prevent the dropping of—

(a) ballast which is not prohibited by the provisions of Rule 130;

(b) message bags, smoke producing or other apparatus or materials dropped for the purpose of navigating an aircraft or communicating messages from an aircraft, subject to the observance of such precautions as to the nature of the articles dropped and the place of dropping as will avoid risk of injuring persons or property on the ground;

(c) separate sheets of paper containing printed matter in any place if the written permission of the District Magistrate or, in a Presidency town, of the Commissioner of Police is first obtained in each case.

27. Carriage of persons in unauthorised parts of aircraft.—No person shall at any time be carried on the wings or undercarriage of the aircraft, or on or in any other part thereof which is not designed for the accommodation of the personnel or passengers, or on or in anything attached externally to the aircraft:

Provided that—

(a) nothing in this rule shall prevent a person having temporary access—

(i) to any part of the aircraft for the purpose of executing repairs to the aircraft or adjusting the machinery or equipment thereof or for the purpose of doing anything which may be necessary for the safety of the aircraft or persons or goods carried therein; or

(ii) to any part of the aircraft in which goods or stores are being carried and to which proper means of access is provided: and

(b) a person may be carried on or in any part of the aircraft, or anything attached thereto, with the permission in writing of the Governor General in Council and subject to any conditions which may be specified in such permission.

28. Prohibition on persons under seventeen having sole control of aircraft.—No person, being under seventeen years of age, shall have sole control of an aircraft in motion, and no person shall cause or permit any other person to have sole control of an aircraft in motion unless he knows or has reasonable cause to believe such other person to have attained the age of seventeen years.

29. Acts likely to imperil the safety of aircraft.—No person shall interfere with the pilot or with a member of the operating crew of an aircraft, or tamper with the aircraft or its equipment or conduct himself in a disorderly manner in an aircraft or commit any act likely to imperil the safety of an aircraft or its passengers or crew.

PART IV.—REGISTRATION AND MARKING OF AIRCRAFT.

30. Certificate of Registration—

(1) The authority empowered to register aircraft and to grant certificates of registration in British India shall be the Governor General in Council.

(2) An aircraft may be registered in British India in one or other of the following categories, namely:—

(a) Category A.—if the aircraft is wholly owned either—

(i) by British subjects or persons under His Majesty's protection, or
(ii) by a company or corporation registered within and having its principal place of business within His Majesty's dominions; and

(b) Category B.—if the aircraft is wholly owned either—

(i) by persons, resident in or carrying on business in British India, who are not British subjects nor persons under His Majesty's protection, or

(ii) by a company or corporation registered elsewhere than within His Majesty's dominions and carrying on business in British India.

(3) No aircraft in respect of which the conditions required in sub-rule (2) are not satisfied, and no aircraft which is already validly registered in another country, shall be registered in British India.

31. Nature of application—

(1) Every application for a certificate of registration shall be accompanied by—

(a) such particulars relating to the aircraft as may be required;

(b) the fee prescribed in rule 35, which fee shall be returned if the application is not granted;

(c) in the case of aircraft imported by air, a certificate signed by a Chief Customs-Officer or Customs-Collector that the customs duty leviable in respect of it has been paid. Such certificate shall state the type and manufacturer's number of the aircraft and engine, and if the aircraft has been registered elsewhere, its registration markings.

(2) An applicant for a certificate of registration may be required to produce proof of the truth of the statements contained in his application.

32. Aircraft imported by air.—When an application is made for the registration of an aircraft before its import into India for the purpose of the import of the aircraft by air, a temporary certificate of registration will, subject to the conditions of sub-rule (3) of rule 30, be granted by the Governor General in Council on the owner of the aircraft complying with clauses (a) and (b) of sub-rule (1) of rule 31. Such temporary certificate shall be valid only until the first landing of the aircraft at a Customs aerodrome in British India, when the certificate shall be delivered by the pilot or other person in charge to the local Aerodrome Officer. Thereafter, on production by or on behalf of the owner of the aircraft of the certificate mentioned in clause (c) of sub-rule (1) of rule 31, the certificate of registration shall be granted by the Governor General in Council;

Provided that, if an aircraft in respect of which a temporary certificate of registration has been issued is imported otherwise than by air, such temporary certificate shall cease to be valid on the date of import of the

aircraft, and the temporary certificate shall forthwith be delivered by the owner of the Director of Civil Aviation in India, and thereafter the certificate of registration shall be granted by the Governor General in Council.

33. Change of ownership or possession.—(1) No aircraft registered in British India wherever it may be, whether its certificate of registration is in force or not, shall be sold, let on hire or chartered nor shall the possession or use thereof be otherwise transferred, to any person, company or corporation without the previous permission, in writing, of the Director of Civil Aviation in India and the registration and the certificate thereof shall not lapse until such permission has been obtained.

(2) The registered owner of the aircraft shall furnish to the Director of Civil Aviation in India such particulars of the proposed sale, hiring, charter or transfer as he may require for the purpose of dealing with any application for permission under this rule.

(3) Any transaction in contravention of sub-rule (1) shall be void.

34. Aircraft destroyed or withdrawn from use.—When a registered aircraft has been destroyed or permanently withdrawn from use, the registered owner shall as soon as possible notify the Director of Civil Aviation in India accordingly, and the registration and the certificate thereof shall not lapse, unless and until it is cancelled by the Director of Civil Aviation in India.

35. Registration Fees.—A fee of twenty rupees shall be payable in respect of a certificate of registration:

Provided that, where the aircraft has been previously registered in British India and the Governor General in Council is satisfied—

(a) that the certificate of registration last issued in respect of the aircraft has lapsed by reason of the sale of the aircraft by the registered owner; and

(b) that the registered owner of the aircraft immediately before the sale was the constructor thereof or a dealer in aircraft; and

(c) that the aircraft has not been flown since a certificate of registration was last issued in respect thereof, except for the purpose of—

(i) an experiment or test carried out in the ordinary course of construction or in order to obtain a certificate of airworthiness; or

(ii) a demonstration to a prospective purchaser; or

(iii) delivering the aircraft to a purchaser;

a fee of four rupees only shall be payable.

36. Register of Aircraft.—The register of aircraft registered in India shall be open to inspection by members of the public at such times and subject to such conditions as may be specified by the Director of Civil Aviation in India.

37. Nationality and Registration Marks, how to be affixed—

(1) The nationality mark of an aircraft registered in India shall be the letters VT and the registration mark shall be a group of three letters assigned by the Central Government.

(2) The nationality and registration marks shall be painted on the aircraft in the following manner:—

(a) **Aerostats.**—In the case of airships the marks shall be painted near the maximum cross-section so as to appear on both sides and on the upper surface equidistant from the letters on the sides.

In the case of balloons the marks shall appear twice near the maximum horizontal circumference of a spherical balloon and shall be placed as far as possible from one another and, on a non-spherical balloon, near the maximum cross-section on both sides immediately above the rigging band on the points of attachment of the basket suspension cables.

In the case of all aerostats, the side marks shall be visible both from the sides and from the ground.

(b) **Aeroplanes.**—The marks shall be painted once on the lower surface of the main plane structure and once on the upper surface of the main plane structure, the top of the letters to be towards the leading edge. They shall also be painted along each side of the fuselage or of the body between the main planes and the tail planes.

(c) **Other aerodynes.**—The provisions of clause (b) shall be applicable to other aerodynes in so far as the latter comprise corresponding elements on which marks could be placed.

(3) The marks shall be of such a colour in relation to the colour of the background on which are painted as will render them clearly legible at a distance of not less than 250 yards in a clear atmosphere.

(4) The height of the letters of the nationality and registration marks need not exceed eight feet. Subject as aforesaid, the height of the marks shall be as follows:—

(a) **Aerostats.**—In the case of airships the height of the marks shall be equal to at least one-twelfth of the perimeter of the airship at the maximum cross-section.

In the case of balloons the height of the marks shall be equal to at least one-fifteenth of the maximum horizontal circumference of a spherical balloon and to at least one-twelfth of the perimeter of a non-spherical balloon at the maximum cross-section.

✓ (b) **Aeroplanes.**—The marks to be borne on the wings and the fuselage or body shall, as regards each group of marks, be formed of letters of equal height, as large as possible without however touching the visible outline of the wings, fuselage or body.

(c) **Gyroplanes.**—The marks to be borne on the fuselage or body shall, as regards each group of marks, be formed of letters of equal height, as large as possible without however touching the visible outline of the fuselage or body.

(d) **Other aerodynes.**—The provision of clause (b) shall be applicable to other aerodynes in so far as the latter comprise corresponding elements on which marks could be placed.

(5) A hyphen shall be painted between the nationality mark and the registration mark.

(6) (a) The letters shall be capital letters in Roman characters without ornamentation.

(b) The width of each letter and the length of the hyphen shall be two-thirds of the height of the letters, and the thickness of the lines forming the letters and the hyphen shall be one-sixth of that height.

(c) As nearly as the constructional features of the aircraft admit, each letter shall be separated from the letter which immediately precedes or follows it (the hyphen for this purpose being regarded as a letter) by a space equal to half the width of the individual letters.

(d) In order to render the marks clearly legible the lines forming the letters and the hyphen shall be solid and of a uniform colour contrasting clearly with the background on which they are placed.

(7) The nationality and registration marks shall be displayed to the best possible advantage, taking into consideration the constructional features of the aircraft. The marks shall always be kept clean and visible.

(8) The aircraft shall carry affixed to the car or basket or to the fuselage, in a prominent position, a metal plate which shall be of stainless steel and shall be inscribed with the names and residence of the owner and the marks of nationality and registration.

PART V.—PERSONNEL OF AIRCRAFT.

38. Personnel to be carried in flying machines.—Subject to the provisions of rule 6, every flying machine registered in British India shall comply with such of the following requirements in respect of the personnel which it carries and by which it is operated as are applicable to the class of flying machine to which it belongs:—

(1) **Private pilot.**—Every private flying machine shall be flown by a person holding a Private Pilot's licence ("A" licence) or a Public Transport Pilot's licence ("B" licence) issued in accordance with sub-rules (1) and (8) respectively of rule 41:

Provided that a flying machine, which is carrying a passenger or passengers other than a person licensed to give instruction in flying in accordance with sub-rule (3) of this rule, may not be flown by a person holding only a Private Pilot's licence ("A" Licence) unless he has had not less than 25 hours solo flying experience, has a certificate from a licensed pilot instructor that he is considered sufficiently qualified for the purpose and has previously flown a flying machine of the same type and has satisfactorily completed 3 landings and 3 take-offs therein.

(2) **Public Transport or aerial work pilot.**—Every public transport or aerial work flying machine shall be flown by a person holding a Public Transport Pilot's licence ("B" licence) issued in accordance with sub-rule (8) of rule 41:

Provided that within British India, such flying machine, when flying by day and when not employed on a regular scheduled air service, may be flown by a person holding an "A" licence which has been specially endorsed in accordance with sub-rule (2) of rule 41 ("A-1" licence):

Provided further that such flying machine may be flown at any time or place within British India by the holder of a "B" licence or of an "A-1" licence if the holder of a "B" licence endorsed for the particular type of flying machine is in the cockpit and is able to take control of the flying machine:

Provided further that a flying machine, the property of or being used by a duly constituted flying club, carrying a member of the club otherwise than for the purpose of instructing such member in flying, shall not, for the purpose of this rule, be deemed to be flown for public transport notwithstanding that payment may be made to the flying club for such carriage, unless payment is made either directly or indirectly to the pilot of the flying machine or the pilot of the flying machine is a paid employee of the flying club in which case the aircraft shall be deemed to be flown for public transport.

(3) **Pilot instructor.**—Every flying machine which is being used for the purpose of giving instruction in piloting shall carry, (except when flown solo) by a pupil under instruction) a person holding a "B" licence, which has been specially endorsed for instructional purposes in accordance with sub-rule (4) of rule 41, and no other person may impart, for a remuneration of any nature whatsoever, instruction in piloting flying machines:

Provided that the holder of a "B" licence which has not been so endorsed may, when acting as assistant to a licensed pilot instructor, impart such instruction but shall in no case authorise a person under instruction to perform his first solo flight nor give instruction in any form of acrobatics.

Explanation.—A person acting as assistant to a licensed pilot instructor shall not be deemed to have ceased to be so acting by reason only of the absence of the pilot instructor, if such absence does not exceed seven consecutive days, but where such absence exceeds seven consecutive days, he shall not continue so to act without a written authorisation from the Governor General in Council.

(4) **Navigator.**—(a) Every flying machine used for international public transport and having to fly without landing,—

- (i) by day, more than 100 miles, or
- (ii) by night, more than 15 miles,

shall have on board as navigator a person holding a navigator's licence.

(b) The navigator must hold a first class licence if the flying machine has to fly without landing—

- (i) by day more than 600 miles, entirely over the high seas or elsewhere than over recognised routes; or
- (ii) by night, more than 600 miles.

(5) Pilot or other member of crew as Navigator.—

(a) The duties of navigator may be performed by the pilot if he holds a navigator's licence save when the itinerary flown by night does not follow a recognised route:

Provided that when the presence of a navigator holding a first class licence is compulsory the pilot may not perform the duties of such navigator unless a second pilot is on board who can in case of need take charge of the handling of the aircraft.

(b) When there is on board the flying machine a member of the crew, other than the pilot, who holds the necessary navigator's licence, he may perform the duties of a navigator.

(6) In sub-rules (4) and (5) of this rule—

(i) "night" means the period commencing one hour after sunset and terminating one hour before sunrise;

(ii) "flight over the high seas" means a flight in the course of which an aircraft finds itself over the sea at a distance of more than 50 miles from the nearest point of the coast; and

(iii) "recognised route" means a route which has been recognized by the Director of Civil Aviation in India as being suitably marked, or adequately provided with wireless facilities, with a view to assist navigation.

7. Radio-telegraph Operator's Licence.—An aircraft which is required by these Rules to carry radio-telegraph apparatus shall carry, in addition to the pilot and whether or not it participates in the international service of public correspondence, a person holding either a first class or a second class radio-telegraph operator's licence issued in accordance with this Part to operate radio-telegraph apparatus on aircraft.

8. Radio-telephone Operator.—An aircraft which is required by these Rules to carry radio-telegraph apparatus and which communicates by radio-telephony, shall carry a person holding a first class radio-telegraph operator's licence:

Provided that an aircraft carries radio-telephone apparatus and which communicates solely by radio-telephony, may carry, instead of a person holding a first class radio-telegraph operator's licence, a radio-telephone operator licensed in accordance with this Part to operate radio-telephone apparatus on aircraft.

39. Licensing authority.—The authority by which the licences referred to in rule 38 may be granted, renewed or varied shall be the Governor General in Council who may withhold the grant or renewal of a licence if for any reason he considers it desirable to do so.

40. Signature of licence holder.—On the issue of a licence to an applicant he shall, forthwith sign his name on the licence as the holder thereof with his ordinary signature.

41. Proofs of competency.—Applicants for licences shall be required to produce proofs of having the following practical experience and of having passed satisfactorily the following tests and examinations:—

(1) *Private Pilot's Licence ("A" Licence).*—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section A of the Schedule II:

Provided that for the purpose of the grant of such licence:—

(a) a person who is qualified as a pilot in the R.A.F. or the I.A.F. and who produces evidence to show that he possesses the required flying experience, may be exempted from the flying tests, and on production of a certificate from a Medical Officer of the R.A.F. or the I.A.F. that he is fit for flying duties and is up to the standard required for an "A" licence, from the medical examination also;

(b) a person to whom a licence of a corresponding or higher class has been granted by the competent authority in a contracting State may be exempted from all or any of the flying tests and from subjects (a) and (b) of the technical examination, and may, if he is the holder of a current licence, be exempted from the medical examination;

(c) a licence may be issued for all types of flying machines or endorsed for one or more types only.

(2) *Pilot's licence endorsed for limited transport of goods and passengers within India ("A-1" Licence).*—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section B of Schedule II:

Provided that for the purpose of the grant of such licence:—

(a) a person who is qualified as a pilot in the R.A.F. or the I.A.F. and who produces evidence to show that he possesses the required flying experience, may be exempted from the flying tests and from the technical examination in Elementary Navigation and Elementary Meteorology specified in clause (e) of sub-paragraph (1) of paragraph 3 of section B of Schedule II; and a certificate from a R.A.F. or I.A.F. Medical Officer that he is fit for full flying duties and is up to the standard required for an "A-1" licence may be accepted in lieu of the Medical examination;

(b) the requirements in respect of flying experience may be varied by the Governor General in Council in a case where the flying experience of the applicant is in the opinion of the Governor General in Council substantially the equivalent of the flying experience specified in Section B of Schedule II;

(c) such licence shall be endorsed for such types of flying machine only as the candidate has produced proof of his competence to fly.

(3) *Public Transport Pilot's Licence ("B" Licence).*—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section C of Schedule II:

Provided that for the purpose of the grant of such licence:—

(a) a person who is qualified as a pilot in the R.A.F. or the I.A.F. and who produces evidence to show that he possesses the required flying experience, may be exempted from the flying tests laid down in sub-paragraphs (1) and (2) of paragraph 2 of section C to Schedule II and from the technical examinations in 'Elementary Navigation' and 'Elementary Meteorology' specified in clauses (d) and (g) of sub-paragraph (1) of paragraph 3 of Section C of Schedule II; and a certificate from a R.A.F. or I.A.F. Medical Officer that he is fit for full flying duties and is up to the standard required for a "B" licence may be accepted in lieu of the medical examination.

(b) a person to whom a licence of a corresponding class has been granted by the competent authority in any one of His Majesty's dominions may be exempted from all or any of the flying tests, and from subjects (a) to (e) and (g) of the technical examination, and may, if he is the holder of a current licence, be exempted from the medical examination;

(c) the requirements in respect of flying experience may be varied by the Governor General in Council in a case where in his opinion the flying experience of the applicant is substantially the equivalent of that specified in Section C of Schedule II;

(d) such licence shall be issued for such types of flying machine only as the candidate has produced proof of his competence to fly, provided that for industrial purposes, other than public transport, a licence may be issued for any or all types of flying machines.

(4) *Public Transport Pilot's Licence, endorsed for instructional purposes (Pilot Instructor's Licence).*—Flying Experience, Flying Tests, Technical Examination and Medical Examination as laid down in Section D of Schedule II.

(5) *Navigator's Licence, 1st class and 2nd class.*—Flying Experience, Technical Examination and Medical Examination as laid down in Section E of Schedule II:

Provided that, for the purpose of the grant of such licences, a person to whom a licence of a corresponding class has been granted by the competent authority in any one of His Majesty's dominions, may be exempted from the technical examination and may, if he is the holder of a current licence, be exempted from the medical examination.

(6) *Radio-telegraph Operator's Licences*—

(a) *First Class Licence*—

Flying Experience and Medical Examination.—As laid down in Section F of Schedule II.

Technical Qualifications.—The candidate must be the holder of a first class certificate of competency as a wireless operator issued by the Director General, Posts and Telegraphs, India, or of such other certificate of proficiency as a wireless operator as may be accepted by the Director General of Posts and Telegraphs in lieu thereof.

(b) *Second Class Licence*—

Flying Experience and Medical Examination.—As laid down in Section F of Schedule II.

Technical Qualifications.—The candidate must be the holder of a second class certificate of competency as a wireless operator issued by the Director-General of Posts and Telegraphs, India, or of such other certificate of proficiency as a wireless operator as may be accepted by the Director General of Posts and Telegraphs, India, in lieu thereof.

(c) *Radio-telephone Operator's Licence*—

Flying Experience and Medical Examination.—As laid down in Section F of Schedule II.

Technical qualifications.—The candidate must be the holder of a certificate of proficiency as radio-telephone operator issued by the Director General of Posts and Telegraphs, India, which has been specially endorsed for air operations, or of such other certificate of proficiency as a radio-telephone operator as may be accepted by the Director General of Posts and Telegraphs, India, in lieu thereof:

Provided that a candidate for a radio-telephone operator's licence who has not had the required air experience may be granted a provisional licence for a period not exceeding one year in order to enable him to acquire the necessary air experience.

42. Periods of validity of licences:—

- (1) The licences may be granted, and on each occasion of renewal may be renewed, for any period not exceeding the periods shown below:—

| | |
|--|-------------|
| (a) Pilot's "A" Licence.—Twelve months. (b) Pilot's "A-1" Licence. (c) Pilot's "B" Licence. (d) Pilot Instructor's Licence. | Six months. |
|--|-------------|

(e) Navigator's Licence.—Twelve months.

(f) Radio-telegraph Operator's Licence.—Twenty-four months.

(2) The holder of a licence shall, in any one of the following circumstances, be required to undergo a fresh medical examination, wholly or in part, and to produce a certificate of medical fitness as a condition of the licence remaining valid namely:

(i) in the event of sickness involving incapacity for a period of twenty days or more for the work for which he is licensed; or

(ii) in the event of an accident occurring otherwise than during the performance of such work and involving the same incapacity; or

(iii) in the event of an accident occurring during the performance of such work and involving injury; or

← (iv) if the holder of a licence has performed a total of 125 hours' flying in the capacity of pilot of a flying machine within any period of thirty consecutive days since his last medical examination under these Rules.

43. Renewal of licences.—Licences may be renewed for the periods specified in rule 42 on production of proof of recent flying experience and after the passing of the medical examination as laid down in Schedule II:

Provided that in the case of a member of the operating crew of an aircraft engaged in public transport or aerial work, who is on duty in a region distant from official medical centres, the medical examination may exceptionally at the discretion of the Governor General in Council be deferred for two consecutive periods of three months each on condition that such member obtains locally in each case and forwards to the Director of Civil Aviation in India a favourable medical certificate furnished by a medical practitioner who possesses qualifications entitling him to inclusion in the Medical Register of Great Britain:

Provided further that the holder of any licence may be required before the renewal of the licence to satisfy all or any of the requirements which are applicable on the first grant of a licence of the same class:

Provided further that in the case of a pilot's licence the Governor General in Council may, when renewing the licence restrict the types of aircraft for which the licence is endorsed to those on which he is satisfied that the holder of the licence has had recent reasonable flying experience.

44. Aircraft not registered in British India.—An aircraft not registered in British India shall carry the personnel prescribed by the laws of the State in which it is registered and such personnel shall be licensed in accordance with the laws of that State.

45. Validation of Foreign licences.—When a licence has been granted by the duly competent authority in any part of His Majesty's dominions outside British India or in any foreign State and is for the time being in force the Governor General in Council may, subject to such conditions and limitations and for such periods as he shall think fit, confer on such licence the same validity for the purpose of flying aircraft registered in British India as if it had been granted under these Rules and a licence so validated shall be subject to the provisions of rule 19.

46. Deleted.

47. Age of applicants.—Licences shall not be granted to applicants who at the time of qualification do not comply with the following conditions:—

(a) An applicant for a Pilot's "A" Licence shall have attained the age of 17 years.

(b) An applicant for a Pilot's "A-1" Licence or for a Pilot's "B" Licence shall have attained the age of 18 years and shall not be more than 45 years of age.

(c) An applicant for a Navigator's Licence shall have attained the age of 19 years and shall not be more than 50 years of age.

(d) An applicant for a Radio-telegraph Operator's Licence shall have attained the age of 19 years:

Provided that, at the discretion of the Governor General in Council, a relaxation may be made as regards the upper age-limit:—

(i) in the case of an applicant for a Pilot's "A-1" Licence or for a Pilot's "B" Licence, if before the date of his application he has been in service as pilot of a State flying machine, or

(ii) in the case of an applicant for a navigator's licence, if up to the date of his application he has been in service as an operative member of the crew of an aircraft.

48. Fees.—(1) The following fees shall be payable in respect of the issue, validation or renewal of licences or the issue of duplicate licences and the tests and examinations laid down in Rules 41 to 43:—

| | Flying Test. | Official Technical Examination (if required). | OFFICIAL MEDICAL EXAMINATION. | | | Licence. |
|--------------------------------|--------------|---|-------------------------------|---|-------|----------|
| | | | For issue of licence. | For re-newal of licence or if required under sub-rule (2) of rule 42. | | |
| Pilot's "A" Licence. | * | Rs. 5 | Rs. 16 | Rs. 8 | Rs. 5 | |
| Pilot's "A-1" Licence | * | 20 | 32 | 16 | 5 | |
| Pilot's "B" Licence | * | 30 | 32 | 16 | 5 | |
| Pilot, Instructor's Licence | * | 10 | 32 | 16 | 5 | |
| Navigator's Licence, 1st Class | .. | 75 | 32 | 16 | 5 | |
| Navigator's Licence, 2nd Class | .. | 30 | 32 | 16 | 5 | |
| Wireless Operator's Licence | .. | .. | 16 | 8 | 5 | |

*For all flying tests the candidate shall be required to provide the aircraft and pay all charges incurred thereby, and in addition he shall pay, when an official examiner is carried on board during the flying test, a fee at the rate of Rs. 10 for each hour or part of an hour so flown:

Provided that an applicant for the issue or renewal of a Pilot's "A-1" or Pilot's "B" Licence who is required to undergo some part only of the technical examination shall pay a fee of Rs. 10 in respect of each group of subjects as shewn in Schedule II in which he is examined, and an applicant for the variation of such a licence by the addition of a type of aircraft not already endorsed on the licence shall, if required to be examined on that type of aircraft, pay a fee of Rs. 5:

Provided further that in any other case when an applicant is required to undergo some part only of the technical examination, the fee may be reduced by such amounts as the Governor General in Council may think proper in the circumstances of the case.

(2) An application for any licence or for the renewal or validation of any licence shall be accompanied by a Treasury receipt for the sum necessary to cover all the fees payable, except the fees for the official medical examination and the fees for the official examiner for a flying test if not a Government servant which shall be payable, direct to the examiner.

(3) When in any case the licence is not issued or renewed or validated, the Governor General in Council may refund to the applicant such proportion of the sum paid as represents the cost of any examination not carried out or any licence not issued.

PART VI.—AIRWORTHINESS.

49. Standard of airworthiness.—A certificate of airworthiness may be issued by the Governor General in Council in respect of any flying machine which complies with minimum standards of airworthiness prescribed in the United Kingdom in respect of design, materials, methods of construction and equipment, and the owner of a flying machine in respect of which a certificate of airworthiness is required by these Rules, or is applied for or issued, shall submit such evidence relating thereto and shall submit to such inspection and tests of the flying machine as may be required by the Governor General in Council.

Provided that the Governor General in Council may, in respect of any flying machine or class of flying machines, from time to time prescribe modifications of the standard and such modified standard shall be complied with as a condition of the issue or remaining in force of a certificate of airworthiness in respect of the flying machine or class of flying machines.

50. Acceptance of foreign standards.—The Governor General in Council may, in respect of any flying machine, accept as evidence of compliance with the conditions of rule 49 a valid certificate of airworthiness issued by the competent authorities in any other part of His Majesty's Dominions or in any foreign country, provided it is shewn to his satisfaction that the conditions on which such certificate of airworthiness was granted are substantially equivalent to the conditions on which a certificate of airworthiness is granted by His Majesty's Government in the United Kingdom.

51. Categories and sub-divisions.—A certificate of airworthiness may be issued in respect of one or more of the categories and sub-divisions of flying machines specified in Section A of Schedule III and the operations of the flying machine shall be restricted to those authorised for the categories to which the certificate of airworthiness extends.

52. Instruments and equipment—minimum.—A certificate of airworthiness shall not be granted in respect of any flying machine which is not equipped with the following instruments and equipment, which shall be in working order, namely:—

Air speed indicator.

Altimeter.

Revolution indicator.

Such gauges as may be considered necessary by the Governor General in Council for the particular installation.

“For aerobatic category.—Safety harness for the pilot.

For normal category.—Safety belt or safety harness for the pilot.”

Indicator of position of landing wheels (in amphibian flying machines and in flying machines fitted with a retractable undercarriage).

53. Instruments and equipment for flight.—Every flying machine which is required by these rules to be provided with a certificate of airworthiness, shall, when flying, be fitted or equipped with the instruments and equipment specified in Section B of Schedule III according to the circumstances of the flight. The instruments and equipment shall be of types approved by the Governor General in Council, they shall be installed in a manner approved by him and shall be maintained in working order.

54. Weight.—Every flying machine which is required by these rules to be certified as airworthy shall be weighed and marked in accordance with the provisions of Section C of Schedule III.

55. Period of validity of certificates of airworthiness.—A certificate of airworthiness shall be valid for a period of one year from the date on which the flying machine was passed for the issue of the certificate:

Provided that, in the case of damage to the flying machine such as renders it unsafe for flight, or of failure to carry out the inspection prescribed in these Rules, or of failure to carry out any compulsory modification directed by the Governor General in Council, or of incorporation of any modification which has not been approved by the Governor General in Council the certificate shall cease to be valid until the flying machine has been repaired or modified as the case may be and inspected and certified as required by these Rules.

56. Renewal of certificates of airworthiness.—The Governor General in Council may renew any certificate of airworthiness for such further period (not exceeding one year at a time) as he may think fit, and may for this purpose require the flying machine to be overhauled, inspected and certified in accordance with rule 57, and in addition may require the flying machine to be inspected by a person authorised in this behalf by the Governor General in Council or tested in flight, or to be so inspected and so tested, and the owner of the aircraft shall give all necessary facilities for such inspection and test.

57. Periodical overhaul.—Every flying machine required by these rules to be provided with a certificate of airworthiness, and every engine of such flying machine shall be periodically overhauled and after every such overhaul, and after the completion of any repairs to or modification of the flying machine or engine, the flying machine shall be inspected and certified in accordance with the provisions of Section E of Schedule III by the appropriate person licensed under rule 61.

58. Modifications.—(1) If at any time the Governor General in Council considers modifications to a flying machine, in respect of which a certificate of airworthiness is in force, to be necessary for safety, he may require such modifications to be carried out as a condition of the certificate of airworthiness remaining in force.

Such modifications may be notified in a general notice to aircraft owners and ground engineers or in a special notice to the owner of a particular aircraft.

(2) If modifications (including changes of equipment or its installation), which affect the safety of the flying machine are carried out in a flying machine in respect of which a certificate of airworthiness is in force, then, until the modifications have been approved by the Governor General in Council, the flying machine shall not fly except in so far as under these Rules it might fly if it had no certificate of airworthiness.

(3) Any such modifications shall be carried out by methods approved by the Governor General in Council and shall be inspected by the appropriate person licensed under rule 61, who shall certify the modification in the form and manner laid down in Section E of Schedule III.

59. Maintenance standards and accessories.—The Governor General in Council may in respect of any aircraft or class of aircraft which is certified as airworthy under these rules and in respect of any technical accessories or equipment used in connection with the operation of such aircraft, prescribe conditions for the technical operation, maintenance and use of such aircraft, accessories or equipment.

60. Daily inspection.—(1) A public transport flying machine effecting public transport shall not commence any flight unless it has, within the preceding 24 hours, been inspected and certified as safe for flight in accordance with these rules by the appropriate person licensed under rule 61:

Provided that if any such flying machine not carrying passengers for remuneration on a regular scheduled air service is absent from its usual station, whether by reason of delay or otherwise, for a longer period than 24 hours, it may proceed on its journey if, at the time of commencement of a flight, it has not performed more than 12 hours flying and a period of more than four days has not intervened, since it was last so inspected and certified:

Provided further that no such flying machine shall commence any flight if, since such inspection, it has suffered any damage or revealed any defect which would render the machine unsafe for flight and which could not, in accordance with ordinary aeronautical practice, be remedied by the pilot or crew.

(2) The certificate required by sub-rule (1) shall be given in the form and manner specified in Section D of Schedule III.

(3) The pilot or commander of every flying machine shall before commencing any flight satisfy himself that:—

(a) having regard to the performance of the aircraft, the extent to which it is loaded, and the prevailing conditions, sufficient length of run is available to effect a safe take off and the line of flight in the take off direction is not obstructed, and that

(b) the flying machine is safe for flight according to the circumstances of the flight as laid down in Section D of Schedule III.

61. Licensing of Ground Engineers

(1) For the purpose of rules 57, 58 and 60 the Governor General in Council may grant licences as Ground Engineers in the following categories to persons who satisfy the requirements as to practical experience, examination and tests laid down in Section F of Schedule III, namely:—

Category A.—Inspection of aircraft before flight.

Category B.—Inspection of aircraft during construction or overhaul.

Category C.—Inspection of aero-engines before flight.

Category D.—Inspection of aero-engines during construction or overhaul.

Category X.—Inspection, construction, installation and repair of aircraft instruments, accessories and equipment; special duties as may be specified in the licence.

(2) A Ground Engineer's licence shall not be granted to a person who has not attained the age of 21 years.

(3) Licences shall remain valid, unless cancelled or suspended, for the periods specified therein, subject to a maximum period of twelve months in each case, and may thereafter be renewed by the Governor General in Council. A candidate for the renewal of a licence may be required to undergo further examinations and tests as a condition of the renewal of the licence.

(4) A Ground Engineer licensed in a particular category shall be competent to deal only with the matters specified in sub-rule (1) against the category in which he is licensed.

(5) A licence granted under this rule shall specify the type or types of aircraft, aero-engines, instruments, accessories or equipment which the licensee is competent to deal with, and may contain restrictions limiting his competence to deal with any particular class of work, and the Governor General in Council may at any time vary such specifications or restrictions.

(6) Any licence granted under this rule may be cancelled, suspended or endorsed by the Governor General in Council after investigation where it appears to him that—

(a) the holder of such licence has performed work, or granted a certificate in respect of work, which has not been performed in a careful and competent manner, or

(b) the holder of such licence has granted a certificate in respect of any matter which he is not licensed to deal with, or

(c) it is undesirable for any other reason that the holder of such licence should continue to exercise the functions of a Ground Engineer.

(7) The Governor General in Council may withhold the grant or renewal of a licence if for any reason he considers it desirable to do so.

62. Fees—

(1) The following fees shall be payable in respect of the issue or renewal of certificates of airworthiness and Ground Engineers' licences and duplicate certificates and licences, and the inspections, tests and examinations required by this Part—

Certificates of Airworthiness

(a) Issue or renewal of Certificate, including such inspections as may be required by the Governor General in Council:—

Aerodynes

| | Rs. |
|---|-----|
| Maximum permissible weight of 2,500 lbs. or less | 50 |
| Maximum permissible weight over 2,500 lbs. but not more than 5,000 | 75 |
| Maximum permissible weight over 5,000 lbs. but not more than 10,000 lbs. | 100 |
| Maximum permissible weight over 10,000 lbs. but not more than 20,000 lbs. | 200 |
| Maximum permissible weight over 20,000 lbs. | 300 |
| (b) Issue of certificate without inspection (rule 50) | 10 |
| (c) Issue of duplicate certificate | 5 |

Ground Engineer's Licences

For the licence—

| | |
|--|---|
| Issue, renewal or issue of duplicate licence | 5 |
|--|---|

For each separate technical examination—

When required, on issue, renewal or extension—

| | Rs. |
|--|-----|
| (i) One category | 10 |
| (ii) Two categories | 15 |
| (iii) Each additional category | 5 |
| (iv) Additions of types of aircraft, engines, instruments, accessories or equipment to those already endorsed on the licence for each category in which additions are required | 5 |

(2) When, in view of the candidate's experience and competence, it is decided to dispense with the whole or a part of the technical examination, the fee may be waived or reduced by such amount as the Governor General in Council thinks fit.

(3) An application for a licence or certificate or for the renewal or extension of a licence or certificate shall be accompanied by a Treasury Receipt for the sum necessary to cover all the fees payable, but when, in any case, the licence or certificate is not issued, renewed or extended, Governor General in Council may refund to the applicant such proportion of the sum paid as represents the cost of any examination or inspection not carried out or any licence or certificate not issued.

PART VII.—RADIO-TELEGRAPH APPARATUS

63. Aircraft for which apparatus is obligatory.—Every public transport aircraft registered in British India, which is capable, according to its certificate of airworthiness, of carrying ten or more persons including the

crew, shall, when used in international air navigation or on a regular air transport service operating in British India, be equipped with radio-telegraph apparatus of a type approved by the Governor General in Council capable of sending and receiving communications by radio-telegraphy or radio-telegony, and installed bonded and screened in a manner approved by the Governor General in Council.

64. Suspension of rules.—The application of the rules in this Part may be suspended when owing to the lack of radio-telegraph organisations available for air traffic in a particular region the employment of radio-telegraph apparatus on board aircraft would serve no useful purpose.

PART VIII.—AIR-ROUTE BEACONS, AERODROME LIGHTS AND FALSE LIGHTS.

65. Air-route beacons and aerodrome lights.—(1) No air-route beacon or aerodrome light shall be established or maintained within British India, nor shall the character of the light exhibited therefrom be altered, except with the approval in writing of the Governor General in Council, and subject to such conditions as he may prescribe.

(2) No person shall wilfully or negligently injure or interfere with any air-route beacon or aerodrome light, established or maintained with the approval of the Governor General in Council, or any light exhibited therefrom.

66. False lights.—(1) Whenever in British India any light is exhibited—

(a) in the neighbourhood of an aerodrome or an air-route beacon so as to be liable to be mistaken for an aerodrome light or an air-route beacon; or

(b) which by reason of its liability to be mistaken for an aerodrome light or an air-route beacon is calculated to endanger the safety of aircraft; or

(c) which, being in the neighbourhood of an aerodrome, is liable by reason of its glare to endanger the safety of aircraft arriving at or departing from the aerodrome.

the Governor General in Council may serve a notice upon the owner or person in possession of the place where the light is exhibited or upon the person having charge of the light, directing that owner or person, within a reasonable time to be specified in the notice, to take effectual means for extinguishing or for effectually screening the light and for preventing for the future the exhibition of any similar light.

(2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.

(3) An owner or person on whom a notice under sub-rule (1) has been served shall, in the absence of reasonable cause, the burden of proving which shall be upon him, comply with the directions contained in the notice.

(4) If any owner or person on whom a notice under this rule is served, neglects for a period of seven days to extinguish or effectually to screen the light mentioned in the notice, the Governor General in Council may enter upon the place where the light is and forthwith extinguish the same, doing no unnecessary damage.

PART IX.—LOG BOOKS.

67. (1) The following log books shall be kept in respect of aircraft registered in British India, namely:—

(a) for every aircraft an aircraft log book and an engine log book and where more than one engine is fitted, a separate log book for each engine;

(b) in addition, for every public transport aircraft (except where such aircraft does not leave the vicinity of its starting place and returns without landing elsewhere to its starting place) and for every aircraft engaged in international navigation, a journey log book.

(2) The log books shall be kept up to date in such manner as the Governor General in Council may direct.

(3) The journey log book shall be issued by the Governor General in Council; other log books shall be in the form required by the Governor General in Council.

(4) The log books shall be preserved for two years from the date of the last entry therein.

(5) No person shall destroy, mutilate, alter or render illegible any log book or any entry made therein, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book.

PART X.—INVESTIGATION OF ACCIDENTS.

68. In this Part the expression "serious structural damage" in relation to an aircraft means—

- i) the telescoping or breaking apart of the fuselage; or
- ii) the breaking of a main spar; or
- iii) the breaking of any part of the controls; or
- iv) damage by fire to any part of the aircraft.

69. Notification of accidents.—(1) When an accident, in which any aircraft is involved, occurs in or over British India, and such accident involves death or personal injury to any person, whether carried in the aircraft or not, or serious structural damage to the aircraft, or is suspected to have been caused or contributed to by the failure in the air of any part of the aircraft, the pilot, or, if the pilot is incapacitated by injury, the owner or, if the owner is not present or is incapacitated by injury, the hirer of the aircraft shall—

(a) send notice thereof by telegram to the Director of Civil Aviation in India, and

(b) give information to the District Magistrate and the Officer in charge of the nearest Police Station.

(2) The notice and information shall be sent as soon as possible and by the best available means and in any case within twenty-four hours after the occurrence of the accident.

(3) The notice to the Director of Civil Aviation in India shall contain the following information:—

- (i) the nationality and the registration marks of the aircraft;
- (ii) the name of the owner and hirer (if any) of the aircraft;
- (iii) the name of the pilot of the aircraft;
- (iv) the place where the accident occurred;
- (v) the date and time when the accident occurred;
- (vi) the nature of the accident;
- (vii) a brief statement of the extent of damage to the aircraft; and
- (viii) whether death or personal injury was caused by the accident, and, if so, to whom.

70. Report on accidents.—The pilot or owner of an aircraft which has been involved in an accident, whether notifiable under rule 69 or not, shall, if required by the Director of Civil Aviation in India, submit to the Director, a written report on such accident in such form as he may prescribe.

71. Removal of wreckage.—(1) In the case of an accident which is notifiable under rule 69 and which involves serious structural damage, in any other case in which the Director of Civil Aviation in India gives

notice to the owner or other person in charge of the aircraft to this effect, the aircraft shall not, except under the authority of the Director of Civil Aviation in India, be removed or otherwise interfered with:

Provided that, subject to compliance with the provisions of rule 61 of the Indian Aircraft Rules, 1920, in so far as they may be applicable:—

(i) if the aircraft is wrecked on water, the aircraft or any parts or contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety;

(ii) the aircraft or any parts or contents thereof may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals, preventing the destruction of the aircraft or its contents by fire or other cause or preventing any danger or obstruction to the public; and

(iii) goods, mails or passengers' baggage may be removed from the aircraft under the supervision of the pilot, a member of the crew, an official of the operating company, an officer of police, a Magistrate, or an officer of the Civil Aviation Directorate, and, in the absence of any such person, mails may be removed under the supervision of an officer of the Posts and Telegraphs Department, and passengers' baggage by the owner or owners thereof.

(2) The Director of Civil Aviation in India may authorise any person, so far as may be necessary for the purposes of any investigation under these rules, to take measures for the preservation of any aircraft involved in an accident, and such person may thereupon have access to, examine, or otherwise deal with the aircraft.

(3) The owner of the aircraft or his nominated representative shall have the right to be present during any examination or other action taken under sub-rules (1) and (2) provided that the Director of Civil Aviation shall not be bound to postpone any action which he may consider necessary under this rule by reason of the absence of the owner or his representative.

72. Inspector's Investigation.—(1) Director of Civil Aviation in India may order the investigation of any accident, whether notifiable under rule 69 or not and may by general or special order appoint any person (hereinafter referred to as an Inspector of Accidents) for the purpose of carrying out such investigation.

(2) The investigation shall be conducted in such manner that if a charge is made or is likely to be made against any person, that person shall have an opportunity of being present and of making any statement, or giving any evidence and producing witnesses on his behalf.

(3) The Inspector of Accidents shall make a report to the Director of Civil Aviation in India stating all relevant facts with regard to the accident and his findings with regard to the causes of the accident and adding any recommendations which he may think fit to make with a view to the avoidance of similar accidents in future.

73. Powers of Inspector.—For the purpose of such investigation an Inspector of Accidents shall have power—

(a) by summons under his hand to require the attendance of any person whom he thinks fit to call before him and examine for such purpose and to require answers or returns to any inquiries he thinks fit to make;

(b) to require any such person to make and sign a declaration of the truth of the statements made by him in his examination;

(c) to require and enforce the production of all books, papers, documents and material objects which he considers important for such purpose;

(d) to have access to and examine any aircraft concerned in the

accident, the place where the accident occurred, or any other place the entry upon and examination of which appears to the Inspector requisite for the purposes of the investigation.

74. Inspector's fee.—When a person other than an officer of Government is appointed to investigate an accident, he may be granted such fee and expenses as may be determined by the Governor General in Council.

75. Formal Investigation.—Where it appears to the Governor General in Council that it is expedient to hold a formal investigation of an accident, he may whether an investigation has been made under Rule 72 or not, by order direct a formal investigation to be held; and with respect to any such formal investigation the following provisions shall have effect:—

(1) The Governor General in Council shall appoint a competent person, in these rules referred to as "the Court", to hold the investigation, and may appoint one or more persons possessing legal, aeronautical, engineering, or other special knowledge to act as assessors, and may direct that the Court and the assessors shall receive such remuneration as he may determine.

(2) The Court shall hold the investigation in open court in such manner and under such conditions as the Court may think most effectual for ascertaining the causes and circumstances of the accident and enabling the Court to make the report hereinafter mentioned.

(3) (i) The Court shall have, for the purpose of the investigation, all the powers of a Civil Court under the Code of Civil Procedure, 1908, and without prejudice to those powers the Court may—

(a) enter and inspect, or authorise any person to enter and inspect, any place or building, the entry or inspection whereof appears to the Court requisite for the purposes of the investigation; and

(b) enforce the attendance of witnesses and compel the production of documents and material objects; and every person required by the Court to furnish any information shall be deemed to be legally bound to do so within the meaning of Section 176 of the Indian Penal Code.

(ii) The assessors shall have the same powers of entry and inspection as the Court.

(4) The investigation shall be conducted in such manner that, if a charge is made or likely to be made against any person, that person shall have an opportunity of being present and of making any statement or giving any evidence and producing witnesses on his behalf.

(5) Every person attending as a witness before the Court shall be allowed such expenses as the Court may consider reasonable:

Provided that, in the case of the owner or hirer of any aircraft concerned in the accident and of any person in his employment or of any other person concerned in the accident, any such expenses may be disallowed if the Court, in its discretion, so directs.

(6) The Court shall make a report to the Governor General in Council stating its findings as to the causes of the accident and the circumstances thereof, and adding any observations and recommendations which the Court thinks fit to make with a view to the preservation of life and the avoidance of similar accidents in future, including a recommendation for the cancellation, suspension or endorsement of any licence or certificate issued under these Rules.

(7) The assessors (if any) shall either sign the report, with or without reservations, or state in writing their dissent therefrom and their reasons for such dissent, and such reservations or dissent and reasons (if any) shall be forwarded to the Governor General in Council with the report. The Governor General in Council may cause any such report and reservations

or dissent and reasons (if any) to be made public wholly or in part, in such manner as he thinks fit."

76. Obstruction of proceedings.—(1) A person shall not obstruct or impede the Court or an Inspector of Accidents or an assessor or any person acting in the exercise of any powers or duties under the rules in this Part.

(2) A person shall not without reasonable excuse (the burden of proving which shall lie on him) fail to comply with any summons or requisition of a Court or an Inspector of Accidents holding an investigation under the rules in this Part.

77. Saving.—Nothing in this Part shall limit the power of the Governor-General in Council with regard to the cancellation, suspension or endorsement of any licence or certificate issued under these Rules.

PART XI.—AERODROMES.

78. Government aerodromes.—A Government aerodrome shall not be open to use by any member of the public save to such extent, if any, and subject to such conditions as the Governor General in Council may determine.

79. Places other than Government aerodromes.—A place in British India other than a Government aerodrome shall not be used as a regular place of landing and departure by a scheduled air transport service or for a series of landings and departures by any aircraft carrying passengers for hire or reward unless it has been licensed for the purpose, or save in accordance with the conditions, if any, of such licence.

80. Licensed aerodromes.—An aerodrome shall be licensed by the Governor General in Council in one of the following categories, namely:—

(a) for public use;

(b) for private use; that is to say, for use by the licensee and by individuals specifically authorised by the licensee.

81. Public aerodromes.—Every aerodrome which is licensed for public use or which is open to public use by aircraft registered in India upon payment of charges shall to the same extent and upon the same conditions be open to use by aircraft possessing the nationality of a contracting State. Every such aerodrome shall at all reasonable times be open to use by any aircraft in the service of His Majesty.

82. Tariff Charges.—(1) At every aerodrome referred to in rule 81 there shall be exhibited in a conspicuous place a single tariff of charges, including charges for landing and length of stay, and such tariff shall be applicable alike to all aircraft whether registered in India or in any other contracting State.

(2) In the case of Government aerodromes, the charges mentioned in sub-rule (1) shall not exceed those specified in, and shall be leviable in accordance with the provisions contained in, Section B of Schedule V to these Rules.

(3) In the case of licensed public aerodromes other than Government aerodromes, the charges mentioned in sub-rule (1) shall, if they exceed the rates specified in Section B of Schedule V to these Rules, require the approval of the Central Government.

83. Qualification of licensee.—A licence for an aerodrome shall not be granted to any person or corporation other than—

(a) a British subject or person under His Majesty's protection, or

(b) a company or corporation registered and having its principal place of business in His Majesty's dominions.

84. Period of validity of licence.—An aerodrome licence may be granted for any period not exceeding twelve months, and on each occasion of renewal may be renewed for any period not exceeding twelve months.

85. Classification of Aerodromes.—An aerodrome may be licensed for all types of aircraft or for certain specified types or classes of aircraft and the licence may specify the conditions on which the aerodrome may be used.

86. Conditions governing the grant of a licence.—(1) A licence shall not be granted in respect of any place which does not satisfy the requirements specified in Part A of Schedule V.

(2) While a licence is in force no alterations to the landing area or to the buildings or other structures on the aerodrome which may affect the safety of aircraft shall be undertaken save with the previous approval of the Governor General in Council. Application for such approval shall be addressed to the Director of Civil Aviation in India and shall be accompanied by full particulars with plans of any such alterations including alterations to surrounding obstructions which may affect the safety of aircraft.

(3) The necessary approval may be granted or withheld and if granted may be granted subject to such conditions (including conditions involving a revision of the original conditions of licence) as the Governor General in Council may think fit.

(4) If any alteration of the nature referred to in sub-rule (2) is undertaken without the previous approval of the Governor General in Council, the licence may be cancelled.

(5) The licensee shall maintain the aerodrome in a fit state for use by aircraft and adequately marked to the satisfaction of the Governor General in Council during the whole period of the currency of the licence where this exceeds a period of three months and shall, if the aerodrome becomes unserviceable, immediately notify the Director of Civil Aviation in India by telegraph.

87. Fees.—The fees chargeable for the grant or renewal of a licence for an aerodrome shall be—

| | Rs. |
|---|-----|
| (1) When the licence is granted or renewed for a period not exceeding three months | 15 |
| (2) When the licence is granted or renewed for a period exceeding three months but not exceeding six months | 20 |
| (3) When the licence is granted or renewed for a period exceeding 6 months but not exceeding 12 months | 30 |

Provided that if, in the opinion of the Governor General in Council, it is necessary or expedient before the grant or renewal of the licence, for the aerodrome in question to be inspected by an officer of Government or other person authorised by the Director of Civil Aviation in India, an additional fee of Rs. 30 shall be chargeable for the inspection, and the applicant shall also be required to pay the travelling expenses of the inspecting officer.

PART XII.—RULES OF THE AIR

SECTION I

LIGHTS AND VISUAL SIGNALS TO BE DISPLAYED BY AIRCRAFT AND SOUND SIGNALS

A.—GENERAL

88. Obligation to display the required lights.—The rules concerning lights to be displayed by aircraft shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may

be mistaken for the prescribed lights shall be exhibited. The said lights shall not be dazzling.

89. Angular limits of lights.—The angular limits of the lights referred to in this Part shall be determined when the aircraft is in its normal position for flying on a rectilinear horizontal course and as shewn diagrammatically in figure 1 in Schedule IV.

90. Failure of lights, etc.—(1) In the event of the failure of any light which is required by these Rules to be displayed by aircraft in flight, the aircraft concerned shall, if the light cannot immediately be repaired or replaced in flight, land as soon as it can do so without danger.

(2) Where, owing to the difficulty of producing lamps to meet the requirements of these Rules as regards sector lights, an overlap of those lights is unavoidable, the overlap shall be as small as possible; there shall be no sector in which no light is visible.

91. Savings.—Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any State with respect to the additional signal or station lights for military aircraft, aircraft exclusively employed in State services or for aircraft in group formation, or with the exhibition of recognition signals adopted by owners of aircraft which have been authorized by their respective Governments and duly published.

B.—LIGHTS AND VISUAL SIGNALS TO BE DISPLAYED BY AIRCRAFT.

Flying machines.

92. In the air or on land aerodromes.—(1) Every flying machine in the air or on the landing area of a land aerodrome shall display the following lights, that is to say:—

(a) on the right side, a green light, fixed so as to show an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the right;

(b) on the left side, a red light, fixed so as to show an unbroken light, visible at a distance of at least 5 miles, throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the left;

(c) at the rear, a white light, fixed so as to show astern an unbroken light, visible at a distance of at least 3 miles, throughout a dihedral angle of 140° formed by two vertical planes bisected by the plane of symmetry.

(2) In a case where, in order to comply with the provisions of sub-rule (1), a single light has to be replaced by several lights, the field of visibility of each of these lights shall be so limited that only one can be seen at a time.

(3) In the case of a flying machine with a maximum span of less than 65 feet, the lights required by this rule may be combined in one or more lamps, placed centrally, provided that the requirements of sub-rules (1) and (2) as to colour and visibility are complied with.

93. Under way on the surface of the water.—Every flying machine under way on the surface of the water shall display lights in accordance with the following provisions:—

(1) If it is under control and is not being towed, it shall display the lights required by rule 92, and in addition, forward, a white light fixed so as to show forward an unbroken light visible, at a distance of at least 3 miles, throughout a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry.

(2) If it is being towed, it shall display the lights required by rule 92.

(3) If it is not under control, it shall display two red lights placed where they can best be seen, one vertically over the other, not less than 8 feet apart, and both being visible, so far as practicable, all round the horizon at a distance of at least 2 miles, and, in addition—

(a) if making way, it shall display the lights required by rule 92; or

(b) if not making way, it shall display the light required by clause (c) of sub-rule (1) of rule 92.

(4) If it is towing another aerodyne, it shall display the lights specified in clause (1) and in addition, forward, two white lights placed where they can best be seen, one vertically over the other, not less than 6 feet apart, and visible at a distance of at least 3 miles in a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry.

94. At anchor or moored on the surface of the water.—Every flying machine whether at anchor or moored on the surface of the water shall display lights in accordance with the following provisions, namely:—

(1) In every case, it shall display forward centrally where it can best be seen, a white light, visible all round the horizon at a distance of at least 1 mile.

(2) In a case where the length of the flying machine is 150 feet or upwards, it shall display, in addition to any other light required by this rule, a white light at or near its stern at a lower height than the forward light mentioned in clause (1), and visible all round the horizon at a distance of at least 1 mile.

(3) In a case where the maximum span of the flying machine is 150 feet or upwards, it shall display, in addition to any other light required by this rule, a white light on each side placed in such a manner as to demarcate the maximum lateral dimension of the flying machine and visible, so far as practicable, all round the horizon at a distance of at least 1 mile.

Gliders.

95. In all cases in which flying machines are required by these rules to display lights, a glider shall display a red light visible, so far as practicable, in all directions.

Balloons and Kites

96. Free Balloons.—A free balloon shall display a red light placed not less than 15 or more than 30 feet below the nacelle and visible, so far as practicable, in all directions at a distance of at least 2 miles.

97. Captive balloons and kites.—In the case of a captive balloon or kite, lights shall be displayed in accordance with the following provisions, namely:—

(1) when flown at an altitude exceeding 180 feet above the ground, or at any altitude if it is less than 3 miles from an aerodrome or from a recognised air route the balloon or kite shall display a white light placed 12 feet vertically above a red light, these lights being visible so far as practicable in all directions at a distance of at least 2 miles, the upper white light being placed not less than 15 or more than 30 feet below the basket, or, if there is no basket, below the lowest part of the balloon or kite;

(2) in addition, from the mooring cable of the balloon or kite there shall be displayed at intervals of 1,000 feet measured from the said group of two lights, similar groups of two lights, one white and one red, and if the lowest group of lights is obscured by clouds, an additional group shall be displayed below the cloud base;

(3) in addition, the position of the object to which the balloon or kite is moored on the ground shall be marked by a group of three flashing lights.

arranged on a horizontal plane at the apexes of a triangle approximately equilateral and measuring at least 75 feet on each side; the side of this triangle, perpendicular to the horizontal projection of the cable, shall be delimited by two red lights, the third light shall be a green light placed opposite the direction of the cable.

98. Day markings for captive balloons.—By day, the mooring cable of a captive balloon shall have attached to it at intervals of not more than 600 feet measured from the basket (or, if there is no basket, from the lowest part of the balloon) tubular streamers, not less than 8 inches in diameter and 6 feet in length, and marked with alternate bands of white and red 18 inches in width.

99. Day markings for kites.—By day, the mooring cable of a kite shall be marked, either in the manner required by rule 98 in the case of a captive balloon, or by streamers of stout paper attached to the cable at intervals of 300 feet measured from the lowest part of the kite, such streamers being not less than 30 inches in length and one foot in width in their widest part and marked with alternate bands of white and red 4 inches wide

Airships.

100. Under way—

(1) Except as provided in rule 101, an airship when under way shall display the following lights, namely:—

(a) forward, a white light fixed so as to show forward an unbroken light visible at a distance of at least 5 miles and throughout a dihedral angle of 220° formed by two vertical planes and bisected by the plane of symmetry;

(b) on the right side, a green light fixed so as to show an unbroken light visible at a distance of at least 5 miles and throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead, and the other is directed to the right;

(c) on the left side, a red light fixed so as to show an unbroken light visible at a distance of at least 5 miles and throughout a dihedral angle of 110° formed by two vertical planes, of which one is parallel to the plane of symmetry and directed dead ahead and the other is directed to the left;

(d) at the rear, a white light fixed so as to show astern an unbroken light visible at a distance of at least 3 miles and throughout a dihedral angle of 140° formed by two vertical planes and bisected by the plane of symmetry.

(2) In a case where, in order to comply with the provisions of sub-rule (1), a single light has to be replaced by several lights, the field of visibility of each of those lights shall be so limited that only one can be seen at a time.

101. Not under control.—(1) An airship which is under way and which is not under control, or which has voluntarily stopped its engines, or which is being towed, shall display the following lights, namely:

(a) the forward and rear lights required by clauses (a) and (d) of sub-rule (1) of rule 100;

(b) in addition, below the airship, two red lights, one placed vertically below the other 12 feet apart, the upper light being 25 feet below the control car, and both being visible so far as practicable in all directions at a distance of not less than two miles;

(c) in addition, if making way but not otherwise, the side lights required by clauses (b) and (c) of sub-rule (1) of rule 100.

(2) By day, an airship in the circumstances mentioned in sub-rule (1) of this rule shall display two black balls or shapes, each at least 2 feet in diameter, one placed vertically below the other 12 feet apart, the upper

one being 21 feet below the control car, and both being visible so far as practicable in all directions.

Where necessary in order to comply with this requirement, the said group of two black balls or shapes may be duplicated.

102. Moored.—(1) An airship when moored to a mooring mast shall display at or near the rear a white light visible, so far as practicable, in all directions at a distance of at least 3 miles.

(2) An airship, when moored to the ground or the surface of the water by a cable, shall display, forward, the white light required by clause (a) of sub-rule (1) of rule 100, and at the rear, the white light required by clause (d) of that sub-rule, and in addition the airship and its mooring cable shall be lighted or marked in accordance with such of the provisions of rule 97 and 98 as are applicable in the case of a captive balloon.

(3) An airship while picking up its moorings, although considered as being under way and not being under control, shall however display only the lights specified in rule 100 until it is finally made fast.

C.—Sound Signals

103. Fog, mist, etc. In fog, mist, falling snow or heavy rainstorm, whether by day or night, an aircraft on the water shall make the following sound signals, namely—

(a) If not anchored or moored, a sound at intervals of not more than two minutes, consisting of two blasts of about five seconds duration with an interval of about one second between them

(b) If at anchor or moored, the rapid ringing of an efficient bell or gong for about five seconds at intervals of not more than one minute

SECTION II.

GROUND MARKINGS AND SIGNALLING.

A GROUND MARKINGS, LIGHTS AND SIGNALS ON AND IN THE VICINITY OF AERODROMES OPEN TO PUBLIC USE.

104. Ground markings.—At every land aerodrome open to public use, the boundaries of the landing area shall, by means of suitable markings, be rendered clearly visible both to aircraft in the air and to aircraft manoeuvring on the landing area. In addition, a circle marking may be placed on the landing area. All obstructions existing on a landing area shall be clearly marked. In case part of the marked landing area should become unfit for use, this part shall be delimited by clearly visible markings or flags, and may, in addition, be indicated by one or more clearly visible crosses.

105. Ground signals.—(1) At every aerodrome open to public use—

(a) the direction of the wind at the landing area shall be clearly indicated by one or more of the recognised methods, e.g., conical streamers, smudge fire, etc.;

(b) if there is a landing T, it shall be used to indicate the compulsory direction for landing and taking-off, even should such direction not correspond to the direction of the wind. Normally, the T shall be so placed that the long arm lies along the direction of the wind, with the cross arm set at that end of the long arm from which the wind is blowing. In the event of there being no wind or a light irregular wind, the T shall be fixed in the direction in which the landing or departure is to be made, and the fact that it is fixed shall be signalled by the presence of a ball, mounted on a mast on the signal area and clearly visible both to aircraft in flight and to those manoeuvring on the landing area.

(2) When, by way of exception, at certain aerodromes, the landing area is regarded as divided into two approximately equal zones, one for departure and the other for landing, as provided for in rule 126, this

special arrangement must be indicated by a full star of five points (constituted by a regular non-convex pentagon which could be inscribed in a circle of not less than forty-five feet diameter) as shown in figure 2 in Schedule IV.

(3) When under rule 118 the special rules for air traffic prescribed in Section V are temporarily suspended, wholly or partially, in respect of a specified aerodrome such suspension shall be indicated by a red square panel, each side of which measures at least ten feet, placed horizontally as shown in figure 3 in Schedule IV.

(4) If an order issued under rule 118 prescribes among other things that circuits outside the landing area and those for taking off and landing, which are referred to in clause (b) of rule 120 and rule 124, are to be right-handed, the red square panel, prescribed in sub-rule (3) of this rule, shall, along two of its sides, be bordered by a red rectangular panel at least three feet in width, separated from the central panel by at least three feet. At the extremity of one of the rectangular panels shall be placed a red triangle so as to indicate that the direction of the circuit is right-handed as shown in figure 4 in Schedule IV. If, however, the only object of the order is that circuits should be right-handed, the red square panel shall not be displayed.

(5) When special circumstances call for a prohibition to land liable to be prolonged, use shall be made of a red square panel, placed horizontally, each side of which measures at least ten feet and the diagonals of which are covered by yellow strips at least two feet in width, arranged in the form of an X as shown in figure 5 in Schedule IV.

(6) When the bad state of the landing area or any other reason calls for the observance of certain precautions in landing, use may be made of a red square panel, placed horizontally, each side of which measures at least ten feet and one of the diagonals of which is covered by a yellow strip at least two feet in width as shown in figure 6 in Schedule IV.

(7) When a landing by means of a radio-electric guide is taking place the fact may be signalled by hoisting on a mast a yellow triangular equilateral pyramid, each side of which measures at least six feet as shown in figure 7 in Schedule IV.

(8) The signals referred to in the foregoing sub-rules shall, whenever possible, be displayed in a special part of the aerodrome selected as a signal area; by way of exception, the wind indicators and the landing T referred to in sub-rule (1) of this rule may be located elsewhere.

(9) During periods of poor visibility, the lights existing for night lighting shall be operated by day, whenever possible and in so far as necessary.

108. Ground lights.—(1) At every aerodrome open to public use and used for night flying, the following provisions shall apply during the working hours of the night service, namely:—

(a) **Dangerous lights.**—No lights shall be exhibited at or in the neighbourhood of an aerodrome which may endanger the safety of aircraft, whether by reason of glare, or by causing confusion with or preventing clear visual reception of the lights or signals prescribed in these rules.

(b) **Aerodrome beacon.**—The position of the aerodrome may be indicated by a luminous beacon.

(2) At every land aerodrome open to public use and used for night flying, the following provisions shall apply during the working hours of the night service, namely:—

(a) **Lighting of obstructions.**—Fixed red lights shall be exhibited—

(i) on all obstructions within the landing area which constitute a danger to aircraft in motion on the landing area;

(ii) as far as possible, on all obstructions within 1,000 yards of the boundary of the landing area and constituting a danger to aircraft approaching or leaving the aerodrome in a normal manner. In case it should be impossible to exhibit fixed red lights on such obstructions, their horizontal projection and the centre of the obstructions shall, as far as possible, be clearly indicated by synchronised red flashing or occulting lights, placed on a level with or near to the ground.

(b) Lighting of landing T and of wind indicators.—The landing T, if used, and at least one of the wind indicators shall be illuminated with fixed lighting, preferably white.

(c) Lighting of signals.—The signals displayed in the signal area shall be suitably illuminated.

(d) Lighting of landing area—

(i) The landing area or the part thereof on which landings should be made shall be illuminated by a floodlight or floodlight system during landing manœuvres;

(ii) in default, one of the following methods may be used:

first method: a line of lights spaced 150 feet apart shall be laid out on the ground, consisting of a central section of six white lights to indicate that landings should be made on the adjacent portion of the landing area and on either side of this line, with at least two green lights at one end and at least two red lights at the other end to indicate that landings should be made from the direction of the green lights towards the red lights;

second method: lights shall be laid out on the ground in the form of a T, the long arm of which shall be composed of at least four lights in a line not less than 250 yards in length. The light at the foot of the T shall indicate the place where the aerodyne should first make contact with the ground and the cross arm of the T shall indicate the place where it should finish its run. Landings may be made on either side of the long arm of the T but always parallel to that arm; in the event, however, of the area situated on either side of the long arm becoming obstructed, the landing the cross arm on that side shall be removed and landing shall be effected on the opposite side.

The direction of landing and take-off will be given by the two alternative methods referred to above; the landing T shall not, therefore, be used.

(e) Approach lighting.—The most favourable sectors of approach to the landing area may be indicated by green lights.

(f) Boundary lighting.—The boundary of the landing area shall be marked by fixed yellow-orange lights, normally laid out 800 feet apart:

Provided that—

(i) when there are obstructions on the boundary of the landing area, the lights serving to mark such obstructions may take the place of boundary lights;

(ii) when the boundary lights are in the form of strips, their colour may be red;

(iii) when local conditions render unavoidable the use of gas boundary lights, they may be given an intermittent character;

(iv) when the boundary of the landing area cannot be marked, only the extremities of such landing area between which aircraft may move without danger shall be indicated by fixed yellow-orange lights.

(g) At every water aerodrome open to public use and used for night flying, the provisions of sub-rule (2) shall equally apply, except in cases of obvious impossibility.

B. Distress, Urgency and Safety Signals.

107. General.—(1) The following general provisions shall apply to all distress, urgency and safety signals, namely:—

(a) the signals referred to in this rule may be transmitted only with the authorisation of the commander or person responsible for the aircraft;

(b) when these signals are sent by radiotelegraphy or radiotelephony, the group or spoken expression shall be sent three times and followed by the group DE and the call sign, also sent three times, of the station which sends it. In the case of "safety" messages, the frequency to be employed is that for "distress" messages.

(2) **Distress Signals.**—When an aircraft is threatened by grave and imminent danger and requests immediate assistance, the following signals shall be used or displayed, either together or separately, before the sending of a message, namely:—

(a) by radiotelegraphy—

the signal . . . — — [See Note (1)];

(b) by radiotelephony—

the spoken expression "MAYDAY" (corresponding to the French pronunciation of the expression "m'aider");

(c) by visual signalling—

(i) the signal . . . — — — . . . with signalling apparatus

(ii) a succession of red pyrotechnical lights fired at short intervals;

(iii) the two-flag signal corresponding to the letter NC of the International Code of Signals [See Note (2)];

(iv) the distant signal, consisting of a square flag having, either above or below it, a ball or anything resembling a ball [See Note (2)];

(d) by sound signalling—

(i) the signal . . . — — — . . . with any sound apparatus;

(ii) a continuous sounding with any sound apparatus [See Note (2)]

Note (1).—When the signal specified in clause (a) above is sent by radiotelegraphy (on 500 kc/s 600 m.), it shall, when possible, in order to be received by automatic maritime apparatus, be followed by the automatic alarm signal consisting of a series of twelve dashes of four seconds each, separated by an interval of one second.

Note (2).—The signals specified in (iii) and iv) of clause (c) and in (ii) of clause (d) above are normally for use by seaplanes on the surface of the water but they may also be used by aircraft in the air.

(3) **Urgency Signals.**—(a) When an aircraft wishes to give notice of difficulties which compel it to land without requiring immediate assistance, the following signals shall be used, either together or separately, before the sending of a message, namely:—

(i) by radiotelegraphy—

the group PAN, the letters of which must be well separated so that the signals A N may not be transformed into one signal P;

(ii) by radiotelephony—

the spoken expression PAN (corresponding to the French pronunciation of the word "panne");

in cases where, owing to the rapidity of the manœuvres to be executed, the aircraft is unable to transmit the intended message by radiotelegraphy or radiotelephony, the signal PAN not followed by a message retains this meaning;—

(iii) by visual signalling—

by day: a succession of white pyrotechnical lights;

by night: a succession of white pyrotechnical lights, or a succession of short and intermittent flashes with the navigation lights.

(b) When an aircraft has a very urgent message to transmit concerning its own safety, or that of an aircraft, ship or other vehicle, or the safety of any person on board or within sight, the following signals shall be used, either together or separately, before the sending of the message. As a general rule they are addressed to a specific authority.

(i) By radiotelegraphy—

the group XXX;

the letters of each group and the successive groups shall be clearly separated from each other;

- (ii) by visual signalling—
either a succession of green pyrotechnical lights;
or a succession of green flashes with signalling apparatus.

(4) **Safety Signals.**—When an aircraft is about to transmit a message concerning the safety of navigation or giving important meteorological warnings, the following signals shall be used, either together or separately, before the sending of a message, namely:—

- (a) by radiotelegraphy:—

the group T T T;

the letters of each group and the successive groups shall be clearly separated from each other;

- (b) by radiotelephony—

the French word "SECURITE" (to which correspond in English pronunciation the syllabus SAY-CURE-F-TAY);

C. Other Signals to or from Aircraft

108. **At aerodromes open to public use.**—(1) By day and by night, when there is an officer controlling the traffic, he shall, except as permitted by sub-rule (2) of this rule, use the following visual signals, namely:—

(a) to authorise movement on the landing area, but excluding authorisation to take-off, he shall direct at the aircraft an intermittent white luminous beam;

(b) to authorise taking-off, he shall direct at the aircraft a continuous white luminous beam;

(c) to prohibit taking-off or any movement on the landing area, he shall direct at the aircraft an intermittent red luminous beam.

The signals in this sub-rule may be preceded by the last three letters of the registration group of the aircraft to which the signal is addressed; these three letters shall be sent in the International Morse Code, by using a luminous beam of the same colour as the signal which is to be sent.

(2) By day, when there is on the landing area an officer controlling the traffic, he may use the following signals, namely:—

(a) to authorise movement on the landing area, but excluding authorisation to take-off, he shall wave a small white flag in the direction to be followed;

(b) to authorise taking-off, he shall lower a small white flag in the direction of taking-off;

(c) to prohibit taking-off or movement towards the taking-off point, he shall raise a small red flag;

(d) to prohibit landing, he shall wave a small red flag vertically above his head.

(3) An aircraft wishing to land at night, without being compelled to do so, on an aerodrome having a ground control, shall, before landing, ask permission by a signal made either by radiotelegraphy or radiotelephony or by means of a lamp or a projector, the use of the navigation lights for this purpose not being permissible.

The visual signal, sent by international Morse Code, shall be composed of the last three letters of the registration group of the aircraft; this signal shall be repeated for as long as may be necessary.

The reply will be given from the ground to the aircraft either by radiotelegraphy or radiotelephony or by visual signal, it being understood that when permission has been asked by visual signal the reply shall always be by visual signal. The visual signal shall consist of a repetition of the same three letter sign made with the signalling lights of the aerodrome.

These signalling lights shall be constituted either by a group of lights

arranged on a horizontal plane at the apexes of an equilateral triangle, each side of which measures from one to three yards, or by a luminous beam directed at the aircraft.

The colour green shall be used to give permission to land and the colour red to prohibit landing.

109. Signals for aircraft not to land.—(1) At every aerodrome, the firing of a red pyrotechnical light or the display of a red flare from the ground, whether by day or by night and notwithstanding any previous permission, shall be taken as an instruction to aircraft in flight that they are not to land for the moment and to aircraft manœuvring on the landing area that they are to stop moving.

(2) At aerodromes provided with the triangular device provided for in sub-rule (3) of rule 108, the emission by such device of intermittent red lights shall, whether by day or by night and notwithstanding any previous permission, instruct aircraft in flight that they are not to land for the moment.

110. Signals for aircraft to land.—To require an aircraft to land, the following signals shall be used:

By day and by night: a series of projectiles discharged at intervals of ten seconds, each showing on bursting green lights or stars.

In addition, if it is necessary to distinguish amongst several the aircraft which is to land, a continuous white luminous beam shall be directed at that aircraft.

Provided that, when the authority who desires to give the order to land is able to establish a radio-electric communication with the aircraft, this order may be given by using the means of communication established.

111. Warning signal for prohibited areas.—To warn an aircraft that it is in the vicinity of a prohibited area (including areas flight over which is temporarily prohibited or restricted) and should change its course, the following signals shall be used:

(a) By day. a series projectiles discharged at intervals of ten seconds, each showing on bursting black or white smoke.

(b) By night: a series of projectiles discharged at intervals of ten seconds, showing on bursting white lights or stars, or an intermittent white luminous beam directed at the aircraft.

Provided that, when the authority who desires to prescribe the change of course referred to in this rule is able to establish a radio-electric communication with the aircraft this order may be given by using the means of communication established."

SECTION III.

GENERAL RULES FOR AIR TRAFFIC

112. General.—(1) Subject to the provisions of sub-rule (6) of this rule and clause (1) of rule 116, mechanically driven aerodynes shall always give way to non-mechanically-driven aerodynes and to aerostats, and mechanically-driven aerostats to non-mechanically-driven aerostats and aerodynes.

(2) An airship which is under way and which is not under control (or which has voluntarily stopped its engines) shall, for the application of the rules in Section III be classed as a free balloon.

113. Risk of collision.—(1) When circumstances permit, an aircraft can ascertain risk of collision with another aircraft by carefully watching the successive compass bearings and angles of elevation of the latter. It shall consider that risk of collision with this other aircraft exists if neither the bearing nor the angle of elevation changes appreciably and if the distance between the two aircraft diminishes.

The term "risk of collision" includes all risk of accident due to undue proximity of other aircraft.

(2) Every aircraft which is required by these Rules to give way to another to avoid collision, shall keep a safe distance, having regard to the circumstances of the case.

(3) While observing the provisions relative to risk of collision contained in sub-rules (1) and (2), a mechanically-driven aircraft must always manoeuvre according to the provisions of sub-rules (4) and (8), as soon as it is apparent that, if it pursued its course, it would not pass clear of another aircraft.

(4) When two mechanically-driven aircraft are meeting end on or nearly end on, each shall, without prejudice to the application of the provisions of sub-rule (1), alter its course to the right.

(5) Subject to the application of the provisions of sub-rule (1) of this rule and sub-rule (3) of rule 116, when two mechanically-driven aircraft are on courses which cross, the aircraft which has the other on its own right side shall keep out of the way of the other.

(6) An aircraft overtaking any other shall keep out of the way of the overtaken aircraft by altering its own course to the right, and must not pass by flying.

Every aircraft coming up with another aircraft from any direction more than 110 degrees from ahead of the latter, i.e., in such a position with reference to the aircraft which it is overtaking that at night it would be unable to see either of that aircraft's side lights, shall be deemed to be an overtaking aircraft, and no subsequent alteration of the bearing between the two aircraft shall make the overtaking aircraft a crossing aircraft within the meaning of these rules, or relieve it of the duty of keeping clear of the overtaken aircraft until it is finally past and clear.

As by day the overtaking aircraft cannot always know with certainty whether it is forward or abaft the direction mentioned above from the other aircraft, it should, if in doubt, assume that it is an overtaking aircraft and keep out of the way.

(7) Every aircraft which is obliged by the rules in Part XII to keep out of the way of another aircraft shall, if the circumstances of the case admit, avoid passing over or under the other, or crossing ahead of it.

(8) Where, by any of the rules in Part XII, one of two aircraft is to keep out of the way, the other shall keep its course and speed. When, however, in consequence of thick weather or any other cause, the aircraft having the right of way finds itself so close that collision cannot be avoided by the action of the giving-way aircraft alone, it shall take such action as will best aid to avert collision.

(9) Every aircraft in a cloud, fog, mist or other conditions of bad visibility, shall proceed with caution, having careful regard to the existing circumstances.

(10) Every aircraft flying beneath clouds shall always do so, so far as it is safe and practicable, at such a distance below the clouds as will enable it readily to see and be seen.

114. Risk of collision on air traffic routes.—In order to obviate the increased risk of collision which exists on air traffic routes the following provisions shall be observed by aeroplanes and airships when flying on or in the vicinity of such routes, namely:—

(1) An aircraft flying by compass along the straight line (rhumb line) joining two points on an air traffic route, in common use, shall keep such line at least 1,000 yards on its left.

(2) An aircraft following, either an officially recognised air traffic route, or a route frequented by aircraft and indicated on the ground by a line of landmarks such as a railway, river, canal, coastline, etc., shall keep such route at least 500 yards on its left.

(3) An aircraft, keeping on its right any of the lines of routes referred to in rule 114, except at a distance therefrom sufficient to

avoid aircraft following such lines or routes in accordance with the said rule.

(4) An aircraft crossing one of the lines or routes referred to in rule 114 shall cross it at right angles as rapidly as possible.

(5) In the case of pre-arranged flights in group formation, the aircraft of the leader of the group shall lead the flight in such a manner that every aircraft in the group can comply with rule 114.

115. Position of pilot.—To facilitate the application of the rules for air traffic contained in this Part, the pilot of a mechanically-driven aerodyne shall, save in exceptional circumstances, be placed either in the plane of symmetry of the aerodyne or on the left-hand side of such plane.

SECTION IV

SPECIAL RULES FOR AIR TRAFFIC ON AND IN THE VICINITY OF ALL AERODROMES

116. Special rules.—The following provisions shall apply on and in the vicinity of all aerodromes, namely:—

(1) Aircraft about to land on an aerodrome shall be given free way.

(2) An aircraft about to take off shall not attempt to do so until there is no risk of collision with another aircraft.

(3) In the case of two mechanically-driven aerodynnes approaching an aerodrome for the purpose of landing, the aerodyne flying at the greater height shall be responsible for avoiding the aerodyne at the lower height, but the latter shall, if the contingency arises, comply w th the provisions of sub-rule (6) of rule 113.

SECTION V.

SPECIAL RULES FOR AIR TRAFFIC ON AND IN THE VICINITY OF AERODROMES OPEN

TO PUBLIC USE

A.—*General*

117. Extent of application.—(1) The provsions of Section V shall apply on and in the vicinity of aerodromes open to public use. They concern only land and water aerodromes for mechanically-driven aerodynnes, which are designated in the present Section by the single word "aerodynnes".

(2) Non-mechanically-driven aerodynnes on and in the vicinity of aerodromes open to public use shall comply with the provisions of Sect'on V as far as possible.

118. Exemptions.—The Governor General in Council may by special order in writing in this behalf temporarily suspend the application of all or any of the provisions of Section V with reference to any aerodromes in British India which is open to public use. Where any such order is for the time being in force with respect to any aerodrome the suspension shall be indicated by the appropriate signals provided for in sub-rule (3) of rule 105.

119. Neutral zones.—At land aerodromes, a neutral zone, situated along the perimeter of the landing area and at the approaches to the hangars, may be set apart for aerodynnes manœuvring on the ground.

B.—*Flight over or in the vicinity of the Landing Area*

120. Minimum Flying altitude.—Subject to any special local regulations which may exist:

(a) flight over a landing area at a lower height than 2,000 feet is prohibited for aerodynnes, save in the case of a departure or landing;

(b) every aerodyne flying outside landing area at a distance of less than 2,000 yards from the nearest point of such area shall, unless it is flying at a greater height than 2,000 feet, keep the landing area on its left.

121. Aerial acrobatics.—Aerodynes are prohibited from engaging in aerial acrobatics in the vicinity of aerodromes, at a distance of less than two miles from the nearest point of the perimeter of the aerodrome, unless they are flying at a greater height than 6,000 feet.

122. Landings by radioelectric guide.—When an aerodyne is about to land by means of a radioelectric guide, other aerodynes, in order to avoid collision, must conform to any local rules in force which may be applicable or, in default of such rules, fly as low as possible below the clouds.

123. Fixed balloons and kites.—No fixed balloon or kite shall be elevated in the vicinity of an aerodrome without a special authorisation.

C.—Rules to be observed for Departures and Landings

124. Circuits.—An aerodyne before landing on an aerodrome shall make a circuit or partial circuit. When an aerodyne starting from or about to land on an aerodrome makes a circuit or partial circuit of an aerodrome the turning shall be made clear of the landing area and shall be left-handed (anti-clockwise), so that during such circuit the landing area shall always be on its left.

As an exception, the turning shall be right-handed when the signal indicated in sub-rule (4) of rule 105 is displayed.

125. Direction of take-off or landing.—(1) Every aerodyne taking off from or landing at an aerodrome shall do so upwind, except when the natural conditions of the aerodrome do not permit. If, however, there is a landing T as provided for in clause (b) of sub-rule (1) of rule 105, or a line of lights as provided for in sub-clause (ii) of clause (d) of sub-rule (2) of rule 106, the aerodyne shall take off or land in the direction indicated by this T (i.e., by following the direction of the long arm of the T towards the cross arm of that T) or by the line of lights.

(2) Landings shall be preceded by a descent in a straight line, commencing at least 300 yards outside the perimeter of the landing area.

(3) Every aerodyne landing at an aerodrome shall leave clear on its left any aerodyne which has already landed or is already landing, or which is taking off or about to take off.

(4) Every aerodyne taking off from an aerodrome shall leave clear on its left any aerodyne which is already taking off.

(5) In observing the provisions of rule 125, every aerodyne, when landing or taking off, shall leave a reasonable space on its right for other aerodynes to land or take off.

(6) At an aerodrome, taking off or landing simultaneously by two or more aerodynes, unless pre-arranged, is prohibited.

(7) For the purposes of rule 125, two or more aerodynes taking off or landing simultaneously by pre-arrangement shall be regarded as a single aerodyne.

126. Zones for landings and departures.—(1) By way of exception, at certain aerodromes, the landing area may be regarded as divided into two approximately equal zones, by a vertical plane bearing in the direction of departure and landing defined in sub-rule (1) of rule 125. For an observer facing in the direction towards which departures and landings are to be made, the zone on the right will be the one reserved for landings and the one on the left the one reserved for departures. This special arrangement must be indicated by the signal provided for in sub-rule (2) rule 105.

(2) Every aerodyne landing at one of these aerodromes shall do so in conformity with the provisions of sub-rules (1) and (2) of rule 125; as far

as possible to the left in the zone reserved for that purpose, but leaving clear on its left any other aerodyne which has already landed or which is landing.

(3) Every aerodyne taking off from one of these aerodromes shall do so in conformity with the provisions of sub-rule (1) of rule 125, as far as possible to the left in the zone reserved for that purpose, but leaving clear on its left any other aerodynes which are already taking off.

127. Take-offs.—On land aerodromes having a ground control, no aerodyne having proceeded on to the landing area with the intention of taking off shall take off until it has received permission to do so by the signals prescribed in clause (b) of sub-rule (1), and clause (b) of sub-rule (2), of rule 108.

D.—Rules to be observed for manœuvres on the ground

128. (1) Land aerodromes.—Every aerodyne moving on the ground in the landing area shall normally do so in the direction of landing. It may, however, in order to shorten its course, cross the landing area to reach its take-off point or the boundary, provided that, in the course of such movement, turns are always made to the left, that it gives free way to every aircraft leaving or landing, and that it conforms to the provisions of sub-rules (4) and (8) of rule 113.

(2) Water aerodromes.—The rules for land aerodromes contained in sub-rule (1) of this rule apply equally to water aerodromes, subject however to the provisions contained in rule 129.

(3) On aerodromes having a ground control, in addition to the observance of the provisions of sub-rules (1) and (2) of this rule, no aerodyne shall proceed on to the landing area until it has received permission to do so by the signal prescribed in clause (a) of sub-rule (1), or clause (a) of sub-rule (2), of rule 108.

SECTION VI

RULES RELATING TO AIRCRAFT ON OR NEAR THE SURFACE OF THE WATER

129. Regulations for preventing collisions at sea.—Every aircraft manœuvring under its own power on the water shall conform to the regulations for preventing collisions at sea, and for the purposes of these regulations shall be deemed to be a steam-vessel.

Provided that—

(a) in conforming with the above-mentioned regulations, it shall be borne in mind that steam-vessels in narrow channels are not able to manœuvre so as to avoid collision with aircraft.

(b) the aircraft shall carry only the lights specified in Section I of this part, and not those prescribed for steam-vessels in the regulations for preventing collisions at sea; it shall use the sound signals specified in the above-mentioned regulations only as specified in rule 103 and clause (d) of sub-rule (2) of rule 107; and it shall not be deemed to hear any sound signals.

(c) every aircraft in flight or in process of manœuvring near the surface of the water shall as far as possible keep clear of all vessels and avoid impeding the navigation thereof.

SECTION VII

MISCELLANEOUS PROVISIONS

130. Ballast.—The dropping of ballast other than fine sand or water from aircraft in the air is prohibited.

130A. Meteorological information.—(1) The person in charge of an aircraft flying along an international air traffic route or on a regular line or service of public air transport shall—

(a) before the aircraft commences any flight, procure information concerning the general meteorological situation and the way in which it is developing; and

(b) immediately before the departure of the aircraft on any flight ascertain, from such information as may be available at the aerodrome or other place of departure,—

(i) what meteorological conditions are expected along the routes he intends to follow during the period of the flight, and

(ii) the latest observed meteorological conditions at places along the route or at places near the route where the meteorological conditions are likely to affect the flight.

(2) Where there is a forecasting service in operation at the aerodrome of departure, the person in charge of the aircraft shall personally consult the meteorologist in charge of the forecasting service.

131. Observance of general and special rules for air traffic.—In conforming with the provisions of Sections III, IV and V of this Part, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from these rules necessary in order to avoid immediate danger.

132. Neglect in the use of lights or signals, etc.—Nothing in this Part shall exonerate any aircraft or the owner, pilot or crew thereof, from the consequences of any neglect in the use of lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of the air, or by the special circumstances of the case.

133. Special orders relative to navigation of aircraft in the immediate vicinity of an aerodrome.—Nothing in this Part shall interfere with the operation of any special rule or rules approved by the Governor General in Council and published relative to navigation of aircraft in the immediate vicinity of any aerodrome or other place, and it shall be obligatory on all owners, pilots, or crews of aircraft to obey such rules.

PART XIIA.—EMERGENCY PROVISIONS

133A.—The Joint Flying Control Regulations for the Royal Air Force and the United States Army Air Force as may from time to time be prescribed by the South East Asia Air Command, shall, with effect from the 1st December 1944, apply to all aircraft for the time being in or over British India and shall have effect notwithstanding anything inconsistent therewith contained in the preceding Parts of these Rules.

PART XIII.—GENERAL

134. Inspection.—Any person authorised by the Governor General in Council by special or general order in writing in this behalf may—

(a) at all reasonable times enter any place to which access is necessary for the purpose of exercising his powers or carrying out his duties under these rules;

(b) at all times during working hours enter that portion of any factory or place in which aircraft or parts of aircraft or aero engines or parts of aero engines are being manufactured, overhauled, repaired or assembled and inspect any such factory or place, aircraft, aero engines or parts and any drawings relating to such aircraft, aero engines or parts;

(c) at any time inspect any flying machine which is required by these rules to be certified as airworthy or in respect of which a certificate of airworthiness is in force;

(d) enter, inspect and search any aircraft for the purpose of securing compliance with any of these rules.

135. Forgery, etc., of documents.—No person shall fraudulently lend any licence or certificate issued under these Rules or allow it to be used by any other person.

136. Foreign Military Aircraft.—No person shall fly or land, or assist in flying or landing, any foreign military aircraft over or in British India except on or with the invitation or permission in writing of the Governor General in Council, and on such conditions as may be specified in the invitation or permission.

137. Obstruction of authorised persons.—No person shall voluntarily obstruct any person acting in the exercise of his powers or in the discharge of his duties under these Rules.

138. General power to exempt.—The Governor General in Council may by general or special order in writing exempt any aircraft or class of aircraft or any person or class of persons from the operation of these rules, either wholly or partially, subject to such conditions, if any, as may be specified in such order.

139. Penalties.—(1) Any person contravening any of these rules shall where no punishment is provided for such contravention in the Indian Aircraft Act, 1934 (XXII of 1934), be punishable to the extent laid down in Schedule VI to these rules.

(2) It shall be a defence to any proceedings for contravention of or failure to comply with, these rules if the contravention or failure is proved to have been due to accident, stress of weather or other unavoidable cause; and it shall be a defence to any proceedings under these rules against the owner, hirer, operator, pilot or commander of an aircraft that the alleged contravention took place without his actual fault or privity.

SCHEDULE I

(See rule 12)

Areas over which flight by aircraft is prohibited

| Area | Extent of prohibition |
|---|-----------------------------|
| (1) The area included within a radius of one mile from the Towers of Silence on Malabar Hill, Bombay. | |
| (2) The North-West Frontier Province and the Political Agencies and tribal areas under the charge of the Governor of the North-West Frontier Province in his capacity of Agent to the Governor General. | |
| (3) All Territory in British Baluchistan and Baluchistan Agency Territories comprised within the following areas :— | |
| (a) The District of Zhob | |
| (b) That part of the Districts of Sibi and Loralai lying to the north of the parallel of latitude passing through Kach. | Absolute. |
| (c) The Quetta-Pishin District with the exception of territory lying to the south and east of the railway line from Kach through Bostan and Quetta to Spezand, and with the exception of territory lying within a radius of 15 miles from Quetta Railway Station. | |
| (d) That part of the District of Chagai lying to the north of the railway line from Spezand through Nushki and Dalbandin to Duzdap and all territory lying south of the Railway within 20 miles of the Persia-Baluchistan Frontier. | |

Note.—These areas are shewn on a map which may be obtained on application to the Director of Civil Aviation in India, Simla/New Delhi.

SCHEDULE II

(See rule 41)

Proofs of Competency, Tests and Examinations for the Issue and Renewal of Licences to Aircraft Personnel***Personnel***

The qualifications of which proofs are required from applicants for licences or renewal of licences are as set out below:—

SECTION A.—PRIVATE PILOT'S LICENCE ("A" LICENCE) (FLYING MACHINES).

1. Flying Experience.—An applicant for the grant of a licence or the renewal of a licence shall be required to produce evidence of having carried out, during the six months immediately preceding the date of the application, not less than five hours solo flying.

2. Flying Tests.—(1) An applicant for the grant of a licence shall be required to carry out the following tests to the satisfaction of the examiners:—

✓ (a) Tests for altitude and gliding flight: Two flights each finishing with a glide, the engines being completely throttled down at not less than 2,000 feet above the landing area. The landings shall be made without reopening the throttle and within 150 yards of a point fixed beforehand by the official examiners of the test.

✓ (b) Test of skill: A flight around two posts (or buoys) situated 500 yards apart making a series of five figure-of-eight turns, each turn reaching one of the two posts (or buoys). This flight shall be made at an altitude of not more than 600 feet above the ground (or water) without touching the ground (or water). The landing shall be effected by:—

✓ (i) finally closing the throttle of the engine at latest when the aircraft touches the ground (or water);

✓ (ii) finally stopping the flying machine within a distance of 50 yards from a point fixed by the candidate before starting.

✓ (c) Spinning test: A left hand and right hand spin. During this test the examiner shall be on board. The test shall be undertaken at such a height that normal flight is resumed after the spin at a height of not less than 2,000 feet above the ground.

✗ (2) An applicant for the renewal o. a licence who has not had the recent flying experience laid down in paragraph 1 of this Section shall carry out the following tests to the satisfaction of the examiner:—

(a) Test of skill: Three figure-of-eight turns in accordance with subparagraph (1) of this paragraph.

(b) Landing test: Three landings, finally stopping the aircraft on each occasion within a distance of 50 yards from a point fixed by the applicant before starting.

(3) An applicant for the addition to his licence of a different type of aircraft may be required to carry out any of the foregoing tests and shall normally be required to carry out the landing test detailed in clause (b) of sub-paragraph (2).

3. Technical Examination.—An applicant for the grant of a licence shall be required to pass, to the satisfaction of the examiners, an examination in the following subjects:—

(a) Rules as to Lights and Signals: General Rules for Air Traffic; Special Rules for Air Traffic on and in the vicinity of aerodromes open to Public use.

(b) International Air Legislation, with particular reference to the obligations of a pilot in international flights.

(c) General knowledge of, in so far as they affect the responsibilities of a pilot, the rules made under the Indian Aircraft Act, 1934 (Act XXII of 1934), and Notices to Airmen.

4. Medical Examinations—

(1) The medical examination shall be carried out by a medical practitioner who possesses qualifications entitling him to inclusion in the Medical Register of Great Britain, and who may be the applicant's usual medical attendant. Such examination shall be conducted in accordance with such form as may be prescribed by the Governor General in Council and a copy of that form, completed as required, shall be forwarded by the medical officer to the Director of Civil Aviation, Simla/Delhi, by whom copies of the form will be supplied on demand.

(2) The medical examination shall be based upon the following requirements of mental and physical fitness:

(a) Good family and personal history, with particular reference to nervous stability, as to which information shall be given in a statement made and signed by the applicant and satisfactory to the medical examiner.

(b) **General surgical examination.**—The applicant must neither suffer from any wound or injury nor have undergone any operation, nor possess any abnormality, congenital or acquired, which might interfere with the safe handling of a private flying machine under ordinary conditions.

Palpation of the abdomen and abdominal viscera, particularly the pyloric, vesicular duodenal and appendicular regions, whenever it reveals any swelling or distinct pain, must be completed by a radioscopic and radiographic examination.

Any anatomical lesion in the walls of any part whatever of the digestive tube, any stricture of its calibre, any calculus or foreign body, any peritoneal lesion, established by clinical or laboratory examinations, will entail rejection. Exception may be made for spasticoid structures not accompanied by other troubles and for ptoses compensated by a good abdominal musculature.

An applicant who has undergone a surgical intervention in the biliary passages or the digestive tube, except appendicitis, involving a total or partial excision or a diversion of any of these organs shall be declared unfit unless (i) a period of two years has elapsed since the surgical intervention and the effects of the operation are not considered liable to cause sudden incapacity in the air, or (ii) an attestation made by a surgeon, having knowledge of the nature of the disease which necessitated the operation, certifies that no immediate or future consequences are to be feared.

Diseases of the liver (including those of the biliary passages) and of the pancreas shall in cases where it is deemed necessary be verified by laboratory examination, particularly by radiography as well as by an examination of the blood and of the urine, and shall entail rejection only if they afford indication of the existence of a calculus, tumour or lesion involving a persistent impairment of function of these organs.

(c) **General Medical Examination.**—The applicant must not suffer from any disease or disability which renders him liable suddenly to become incompetent in the management of aircraft. He must possess heart, lungs and nervous system in a state to withstand the effects of altitude. He must be free from kidney disease, and must not present any clinical sign of syphilis, nor have any cardiac lesion.

(d) **Eye examination.**—The applicant must not be totally deprived of the use of one eye. He must possess, with correction by glasses if necessary, a visual acuity equal to at least 70 per cent. of the normal visual acuity for each eye taken separately. When this first measurement has been effected with correction by glasses, the medical examiner shall in addition see that the visual acuity of the applicant, measured without

correction by glasses, after such applicant has had time to adapt himself to these new requirements, is equal to at least 10 per cent. of the normal visual acuity for each eye taken separately. Visual acuity shall be measured by means of a series of optotypes of Landolt, illuminated at 15 lux. Ocular muscle balance and the field of vision of each eye must be normal. With regard to colour perception, an applicant suffering from daltonism may be accepted under the following conditions:—

(i) If he is unable to distinguish pigmentary colours but is able to distinguish the coloured lights used in air navigation, his licence is rendered valid both for flight by night and for flight by day;

(ii) If he is unable to distinguish either pigmentary colours or the coloured lights used in air navigation, his licence is rendered valid only for flight by day, that is to say, between sunrise and sunset.

(e) **Ear Examination.**—The middle ear must be healthy. The applicant must possess an auditory acuity not less than that corresponding with the perception of the whispered voice at one metre. The vestibular mechanism must be intact and not hyper-sensitive. It must be equal on both sides.

(f) **Nose, Throat and Mouth Examination.**—The applicant must possess free tubular air entry on both sides:

Provided that a person who does not satisfy the whole of the above medical requirements may, at the discretion of the Governor General in Council, be accepted, so far as such requirements are concerned, as eligible for the renewal of a licence, or for the issue of a licence if he has previously been found medically fit for flying:

Provided also that a person who does not satisfy all the above medical requirements may, at the discretion of the Governor General in Council, be accepted as eligible for the issue of a licence subject to such limitations as the Governor General in Council may impose and on the condition that the licence shall in no case be valid for flight outside India.

(3) The medical examination shall take place before the commencement of flying instruction in the case of an application for the issue of a licence, and, in the case of an application for renewal of a licence, ordinarily not earlier than 15 days before the date of expiry of the validity of the licence.

Provided that where the medical examination in connection with an application for the renewal of a licence has taken place more than 15 days before the date of expiry of the validity of the licence, the licence shall be renewed from the date of such medical examination.

(4) Every applicant who presents himself to undergo the medical examination required for the issue or renewal of a licence must furnish to the medical examiner a declaration signed by him stating whether he has previously undergone such a medical examination, and with what result. A false declaration shall render the applicant liable to the cancellation of any licence issued or renewed to him as the result of the examination.

SECTION B.—PILOT'S "A-1" LICENCE (FLYING MACHINES)

1. Flying Experience—

(1) An applicant for the original endorsement of a licence shall be required to produce evidence of having carried out during the two years preceding the date of application not less than 100 hours solo flying (including not less than 30 landings) of which not less than 15 hours shall have been performed during the preceding six months, and of which not less than 25 hours shall consist of cross country flights:

Provided that an applicant for a licence in respect of a type of flying machine fitted with two or more engines shall be required to produce evidence of having carried out not less than 10 hours solo flying in a multi-engined flying machine.

(1A) An applicant for the addition to his licence for the first time of a type of flying machine fitted with two or more engines shall be required to produce evidence of having carried out not less than 10 hours solo flying in a multi-engined flying machine or 20 hours flying as second pilot in air transport operations in a multi-engined flying machine fitted with dual control.

(2) An applicant for the renewal of the endorsement of his licence shall be required to produce evidence of having carried out during the preceding six months not less than 10 hours solo flying.

2. Flying Tests—

(1) An applicant for the original endorsement of a licence shall be required to carry out the following tests to the satisfaction of the examiner:—

(a) For single-engined flying machines—General flying for half an hour with an examiner on board and including three landings.

(b) For multi-engined flying machines—General flying for half an hour with an examiner on board, during which the aircraft shall be flown with each engine in turn completely throttled down and during which three landings shall be made. Part of this flying shall be carried out with the aircraft light and part with the aircraft fully loaded.

(c) A cross country or oversea flight of at least 200 miles with an examiner on board and including three forced landings at points selected by the examiner. During this flight a height of 6,500 feet shall be maintained for a total period of one hour. The applicant will at the time of departure be informed of his route and furnished with the appropriate map. The examiner will judge whether the route has been correctly followed.

(2) An applicant for the endorsement of his licence in respect of an additional type of flying machine shall be required to carry out to the satisfaction of the examiner three landings with the aircraft light and three landings with the aircraft fully loaded:

Provided that an applicant for the addition to the endorsement on his licence for the first time of a type of flying machine with two or more engines shall be required to carry out the general flying test specified in clause (b) of sub-paragraph (1) of this paragraph.

(3) An applicant for the renewal of a licence who has not had the recent flying experience specified in sub-paragraph (2) of paragraph 1 shall be required to carry out the general flying tests laid down in sub-paragraph (1) of this paragraph and may also be required to carry out the other tests laid down in sub-paragraph (1) of this paragraph.

3. Technical Examination—

(1) An applicant for the issue of a licence shall be required to pass, to the satisfaction of the examiners, an examination in the following subjects:—

Group I

(a) Flying machines: Theoretical knowledge of the laws of resistance of the air especially as concerns its effect on main plane structure, tail unit and air-screw; functions of the different parts of flying machines and of the controls. Assembling of flying machines and their parts. Practical tests on rigging. Centre of gravity and loading. Principles of inspection and tests.

(b) Engines: General knowledge of internal combustion engines and the functions of the component parts; general knowledge of the construction, assembling, adjustment and characteristics of aero-engines; fuel and oil consumption and effect on range of aircraft; principles of inspection and tests. Causes of the faulty running of engines and of breakdown, practical tests in running repairs.

(c) Instruments: Principles and use of instruments prescribed for flying machines.

Group II

(d) As set out in paragraph 8 of Section A for an applicant for Pilot's "A" licence.

(e) Elementary Navigation: Map reading and use of maps, care, use and compensation of the compass, determination of position and drft.

Elementary knowledge of seasonal weather conditions affecting flying in India and the organisation for the supply of weather information to pilots."

(2) The examination in flying machines and engines shall have reference to the particular types of flying machines or engines which are to be endorsed on the licence. The applicant may be required to undergo a further examination with reference to other types of flying machines and engines before the licence is endorsed for such other types.

(3) An applicant who fails to pass in any group shall be permitted to reappear not more than twice for examination in that group:

Provided that an applicant who does not pass in all groups of the technical examination within a period of six months from the date of the first examination shall be required to undergo the complete examination again.

4. Medical Examination.—The medical examination shall be based on the same requirements and shall be undertaken under the same conditions as set out in paragraph 4 of Section C for an applicant for Pilot's "B" Licence.

SECTION C.—PILOT'S "B" LICENCE (FLYING MACHINES)

1. Flying Experience—

(1) (a) An applicant for the grant of a licence shall be required to produce evidence of having carried out during the three years preceding the date of application not less than 200 hours solo flying (including not less than 30 landings) of which not less than 15 hours shall have been performed during the preceding six months, and of which not less than five hours shall have been performed by night

(b) The applicant's flying experience shall include a minimum of 75 hours cross country flying, of which at least 5 hours shall consist of cross country flights carried out at night.

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(c) An applicant for a licence in respect of a type of flying machine fitted with two or more engines shall be required to produce evidence of having included in the flying experience specified in this sub-paragraph not less than 10 hours solo flying on a multi-engined flying machine, or equivalent experience as second pilot in air transport operations each hour of flying experience as second pilot counting as half an hour of solo flying experience:

Provided that in the case of an applicant with long and varied experience as a pilot the Central Government may accept such lesser amount of flying experience during the preceding three years as it may deem fit in lieu of the experience specified in clause (a) of this sub-paragraph.

(1A) Except in a case where the Central Government is satisfied that the experience of the applicant as a pilot is sufficiently long and varied as to constitute equivalent experience, an applicant for the addition to his licence for the first time of a type of flying machine fitted with two or more engines shall be required to produce evidence of having carried out not less than 10 hours solo flying in a multi-engined flying machine or 20 hours flying as second pilot in air transport operations in a multi-engined flying machine fitted with dual control.

(2) An applicant for the renewal of a licence shall be required to produce evidence of having carried out during the preceding six months not less than 10 hours solo

2.

(1) An applicant for the grant of a licence shall be required to carry out the following tests to the satisfaction of the examiners:—

(a) *Altitude, gliding flight, skill and spinning tests.*—The same tests as are laid down in sub-paragraph (1) of paragraph 2 of Section A for a Pilot's "A" Licence:

Provided that of such tests an applicant who is in possession of a valid Pilot's "A" Licence shall be required to pass the spinning test only.

(b) *Tests of navigation.*—Two cross country or oversea flights of at least 200 miles each. As regards one of these, the flight shall be made in the same aircraft within eight hours, shall include two obligatory landings (when the machine must come to rest at points, other than the point of departure, fixed before-hand by the examiners) and shall terminate with a landing at the point of departure. During this flight a height of at least 6,500 feet shall be maintained for a total period of one hour. On the second flight the examiner shall be on board and three forced landings shall be made at point selected by the examiner: Provided that an applicant who is in possession of a valid Pilot's "A-1" licence may be exempted from this flight.

(c) *General Flying*—

(i) For single-engined flying machines.—General flying for about half an hour with an examiner on board and including three landings.

(ii) For multi-engined flying machines.—General flying for half an hour with an examiner on board during which the aircraft shall be flown with each engine in turn completely throttled down and during which three landings shall be made. Part of this flying shall be carried out with the aircraft light and part with the aircraft fully loaded.

(d) *Night flight*—

(i) A night flight of at least one hour carried out away from the aerodrome of departure at a height of at least 1,500 feet.

(ii) Three landings of which at least two shall be made without the aid of a floodlight. Flares on the landing area may be used.

These flights shall be made between two hours after sunset and two hours before sunrise, on a dark night. The aircraft used for these tests shall be equipped with approved lighting equipment for effecting night landings.

(e) *Blind flying.*—A flight of not less than one hour in duration in the course of which the applicant, under the supervision of an examiner appointed by the Governor General in Council, shall without exterior view satisfactorily perform the following operations:—

(i) calculate and fly at least three different courses of not less than 15 miles each on direction given by the examiner stating the point of departure and point to be flown to;

(ii) carry out all ordinary manœuvres and enter and recover from a spin:

Provided that the Governor General in Council may at his discretion exempt from this test an applicant who produces satisfactory evidence of having had experience in or of having completed a recognised course of training in instrument flying.

(2) An applicant for the endorsement of his licence in respect of an additional type of flying machine shall be required to carry out, to the satisfaction of the examiner, three landings with the aircraft light and three landings with the aircraft fully loaded:

Provided that an applicant for the addition to his licence for the first time of a type of flying machine with two or more engines shall be required to carry out the general flying test prescribed in sub-clause (ii) of clause (c) of sub-paragraph (1) of this paragraph.

(3) (i) An applicant for the renewal of a licence, who has not had the recent flying experience specified in sub-paragraph (2) of paragraph 1, shall be required to carry out the general flying test laid down in sub-clause (i) of clause (c) of sub-paragraph (1) of this paragraph, but may be required to carry out any of the other tests laid down in sub-paragraph (1) of this paragraph.

(ii) An applicant for the renewal of a licence whose total night flying experience does not exceed 30 hours shall be required to pass the test laid down in sub-clause (ii) of clause (d) of sub-paragraph (1) of this paragraph.

3. Technical Examination—

(1) An applicant for the grant of a licence shall be required to pass, to the satisfaction of the examiners, an examination in the following subjects:—

Group I

(a) Flying machines: Theoretical knowledge of the laws of resistance of the air especially as concerns its effect on main plane structure, tail unit and air-screw; functions of the different parts of the flying machine and of the controls. Assembling of flying machines and their parts. Practical tests on rigging. Centre of gravity and loading. Principles of inspection and tests.

(b) Engines: General knowledge of internal combustion engines and the functions of the component parts; general knowledge of the construction, assembling, adjustment and characteristics of aero engines; fuel and oil consumption and effect on range of aircraft; principles of inspection and tests. Causes of the faulty running of engines and of breakdown; practical tests in running repairs.

(c) Instruments: Principles and use of instruments prescribed for flying machines, including blind flying instruments:

Provided that an applicant who is in possession of a valid Pilot's "A-1" Licence may be exempted from the examination in the subjects mentioned in this Group.

Group II

(d) Elementary Navigation: Map reading and use of maps; compass, care, use and compensation; principles of dead reckoning navigation and the instruments in common use; principles of navigation by radio-goniometry.

(e) Rules as to Light and Signals; General Rules for Air Traffic, Special Rules for Air Traffic on and in the vicinity of aerodromes open to Public Use; Rules for Preventing Collisions at Sea.

(f) Practical knowledge of the special conditions of air traffic and of international air legislation. General knowledge, in so far as they affect the responsibilities of a pilot, of the rules made under the Indian Aircraft Act, 1934 (Act XXII of 1934), and Notices to Airmen.

Group III

(g) Elementary Meteorology.

(2) The examination in flying machines and engines shall have reference to the particular types of flying machines or engines which are to be endorsed on the licence. The applicant may be required to undergo a further examination with reference to other types of flying machines and engines before the licence is endorsed for such other types.

(3) An applicant who fails to pass in any of the groups shall be permitted to reappear not more than twice for examination in those groups:

Provided that an applicant who does not pass in all groups of the technical examination within a period of six months from the date of the first examination shall be required to undergo the complete examination again.

4. Medical Examination.—

(1) The medical examination shall be conducted by medical officers specially approved for the purpose by the Governor General in Council, and shall be based on the following requirements of mental and physical fitness:—

(a) *Preliminary*.—The applicant must have the complete use of his four limbs, must not be totally deprived of the use of one eye and must be free from any active or latent, acute or chronic, medical or surgical, disability, or infection. He must be free from any injury or wound which would entail any degree of functional incapacity which might interfere with the safe handling of aircraft at any altitude even in the case of prolonged or difficult flight. He must be completely free from hernia, must not suffer from any detectable sensory lesion, and must be free from a history of morbid mental or nervous trouble.

The applicant will be questioned concerning his family and personal history.

(b) *Examination of the Nervous system*.—The examination of the nervous system of the applicant shall comprise a full inquiry into family and personal history. The information obtained shall be given in a statement made and signed by the applicant and accompanied, if possible, by a certificate in regard especially to losses of consciousness, fits and convulsions of all kinds, from the applicant's ordinary medical adviser or a responsible person who has known him for a long time. This statement and this certificate must be such as to satisfy the examining medical officer. The applicant must not present any mental or trophic impairment, pathological tremor, or presumptive evidence of latent epilepsy. Motility, sensibility, tendonous, cutaneous and pupillary reflexes, co-ordination of movements and cerebellar functions, must be normal. An exception may be made for local peripheral trouble due to accidental section of a nerve branch.

Injuries of the head will be dealt with as follows.—

(i) Cases of simple concussion, even with mild intracranial injury, will entail temporary unfitness for a period of at least one month from the date of the concussion.

(ii) A simple fracture of the skull without associated intracranial damage will entail temporary unfitness for a period of at least two months from the date of the fracture.

(iii) In case of severe intracranial injuries, the presence of local lesion of the brain will entail permanent rejection.

In the first and second cases, after the candidate has resumed his duties, his licence will be rendered valid only for successive periods of two months until the after-effects no longer appear liable to produce a sudden incapacity in flight.

Any trepanning with loss of the bony substance concerning the two tables of the cranial vault will entail rejection. The same will apply in case of lesion of the dura mater, even after a bone graft.

Any syphilis, past or present, affecting the central nervous system or its blood vessels or its membranes entails the permanent rejection of the applicant. Any presumed nervous syphilis will entail rejection, unless the non-existence of such an impairment is proved by an examination of the blood and an examination of the cerebrospinal fluid, made with the consent of the applicant.

(c) *General surgical examination.*—The requirements of this examination shall be the same as those laid down in clause (b) of sub-paragraph (2) of paragraph 4 of Section A for an applicant for a Pilot's "A" licence, with the addition that the applicant must neither suffer from any wound or injury, nor have undergone any operation, nor possess any abnormality, congenital or acquired, which might interfere with the safe handling of a flying machine at any altitude even in the case of prolonged or difficult flight.

(d) *General Medical Examination.*—The applicant must not suffer from any disease or disability which renders him liable suddenly to become incompetent in the management of aircraft. His muscular power must be adequate for handling of the types of aircraft he will have to pilot or the apparatus he is to use. He must not have any signs of aneurism of the large arterial trunks, nor have any cardiac lesion, even if well compensated; the heart must be normal, with normal function, and only respiratory arrhythmia, increase of pulse rate from excitement of exercise and a general slow pulse not associated with auriculo-ventricular dissociation will be allowed. The applicant must not suffer from any acute disability of the lungs, nor possess any cicatricial lesion of the lungs, and must be free from tuberculosis capable of being diagnosed by the usual clinical methods, from traceobronchial disease of the glands, and from pulmonary emphysema, even if slight. However, with regard to the maintenance of the applicant's efficiency, pulmonary emphysema will entail rejection only when the pulmonary capacity falls below three and half litres at rest after full exhalation and inhalation and when the duration of the breath holding falls at rest below fifty seconds, or only forty seconds if the candidate is less than 5 feet or is of the female sex. In addition, each examination shall include a radioscopic record in doubtful clinical cases. When the examination of the spleen and of the ganglionic tracts reveals hypertrophy of these organs, the candidate shall be declared unfit unless a hematological examination has shown that it is not a case of an original impairment of the hematopoietic organs. Hemoglobinuria, hemophilia and purpuras shall also entail rejection, unless hematological examination shows that it is a case of only transitory impairment. The applicant must not present any signs of organic disease of the kidneys; these latter must be insensitive to palpation and of normal size. Renal ptosis shall entail rejection; this rule, however, shall not apply as regards the maintenance of efficiency if no functional trouble is involved. The urine must not contain any pathological element. Affections of the urinary passages and of the genital organs, even blennorrhœa, may entail temporary or definite unfitness, an exception being allowed as regards the maintenance of efficiency in the case of tuberculous orchitis-epididymitis in its mild and localised form.

Applicants of the female sex must present a normal uterus and appendages. Cases in which surgical intervention has taken place shall be considered individually. Any presumed pregnancy shall entail rejection. Following confinement or miscarriage, the holder of a licence shall be allowed to resume her air duties only after having undergone a fresh medical examination.

The applicant must not present any clinical signs of syphilis. Dysentery shall be considered as an acute disease; provided that a presumption of dysenteric infection shall entail rejection, unless the medical examiner considers that the clinical phenomena have disappeared.

(e) *Eye Examination.*—The applicant must possess a degree of visual acuity compatible with the efficient performance of his duties. Ocular muscle balance, the field of vision of each eye and colour perception must be normal: but certain anomalous trichromats may be admitted.

The applicant must possess, without correction by glasses, visual acuity equal to at least 80 per cent. of the normal visual acuity for each

eye taken separately, or 90 per cent. for one eye and 70 per cent. for the other, the visual acuity being measured by means of a series of optotypes of Landholts illuminated at 15 lux.

The holder of a licence no longer fulfilling these requirements may however be maintained in service after the age of 35 when, at that age, he has effected, as pilot of a public transport or aerial work aerodyne, at least 1,000 hours of flight and his visual acuity, measured without correction by glasses, is equal to at least 50 per cent. of the normal visual acuity, for each eye taken separately.

In case of application for the original issue of the licence, hypermetropia above +2.25 diopters will entail rejection.

(f) *Ear Examination.*—The middle ear must be healthy. The applicant must possess an auditory acuity not less than corresponding with the normal perception of 64 vibrations per second 256 vibrations per second and 4,096 vibrations per second, the forks being held perpendicularly to the ground one centimetre from the auditory tube. The vestibular mechanism must be intact and not hypersensitive; it must be equal on both sides.

(g) *Nose, Throat and Mouth Examination.*—The applicant must possess free nasal and tubal air entry on both sides and must not suffer from serious, acute or chronic affections of the buccal cavity or upper respiratory tract.

Provided that an applicant who does not satisfy the whole of the above medical requirements may, at the discretion of the Governor General in Council, be accepted, as far as such requirements are concerned, as eligible for the renewal of a licence, or for the issue of a licence if he has previously been found medically fit for flying in accordance with the above requirements:

Provided further that an applicant who does not satisfy all the above medical requirements may, at the discretion of the Governor General in Council be accepted, so far as such requirements are concerned, as eligible for the issue of a licence subject to such limitations as the Governor General in Council may impose and on the condition that the licence shall in no case be valid for flight outside India.

(2) In the case of an application for renewal of a licence the medical examination shall take place ordinarily not earlier than 15 days before the date of expiry of the validity of the licence.

Provided that when the medical examination in connection with the application for the renewal of a licence has taken place more than 15 days before the date of expiry of the validity of the licence, the licence shall be renewed from the date of such medical examination.

(3) Every applicant who presents himself to undergo the medical examination required for the issue or renewal of a licence must furnish to the medical examiner a declaration signed by him stating whether he has previously undergone such a medical examination and with what result. A false declaration shall render the applicant liable to the cancellation of any licence issued or renewed to him as the result of the examination.

SECTION D.—PILOT INSTRUCTOR'S LICENCE

1. Flying Experience.

(1) An applicant for the issue of a licence shall be required to produce evidence of having carried out not less than 500 hours solo flying, which shall be to the satisfaction of the Governor General in Council.

(2) An applicant for the renewal of a licence who has not given at least 50 hours flying in the preceding 12 months, shall be required to pass the flying tests prescribed in paragraph 2 of this Section.

2. Flying Tests.—An applicant shall carry out such practical flying tests as may be required by the Governor General in Council or produce

evidence of such qualifications as a pilot instructor as may be considered equivalent. The tests will include a demonstration by the candidate as instructor and the examiner as pupil.

3. Technical Examination.—An applicant shall undergo such technical examination in the principles of flying instruction as may be required by the Governor General in Council or produce evidence of such qualifications as a pilot instructor as may be considered equivalent. The examination shall include a demonstration by the candidate of his ability to lecture on any subject of examination for the Pilot's "B" licence, and shall test the candidate's knowledge of the rules made under the Indian Aircraft Act, 1934 (Act XXII of 1934), and of Notices, to Airmen with particular reference to the training and licensing of pilots and the responsibilities of a pilot instructor.

4. Medical Examination.—The medical examination shall be based on the same requirements and shall be undertaken under the same conditions as set out in paragraph 4 of Section C, of this Schedule for a Pilot's "B" Licence.

SECTION E.—NAVIGATOR'S LICENCE

1. Flying Experience—

(1) An applicant for a second class licence shall be required to produce evidence of having had at least two years air experience, during which at least 300 hours shall have been spent in the air.

(2) An applicant for a first class licence must have held a second class licence for at least one year and shall be required to produce evidence of having had of least four years air experience, during which at least 600 hours shall have been spent in the air, not less than 100 hours of this being experience of navigation in the air, of which not less than 15 hours shall have been obtained in connection with cross country flights made between two hours after sunset and two hours before sunrise.

(3) In this paragraph the expression "air experience" means experience as an operative member of the crew of an aircraft.

2. Technical Examination—

(1) An applicant for a second class licence shall be required to pass to the satisfaction of the examiners an examination on the following subjects:—

(a) Form of the earth; its divisions and their notation; mathematical calculation of the various elements by plane trigonometry to obtain course and distance elementary knowledge of the movements of celestial bodies as applicable to air navigation.

(b) Maps and charts; how to read and use them; practical properties of different projections used in aviation.

(c) Compasses, their construction use, and adjustment; elementary principles of earth's magnetism.

(d) Flight by dead reckoning; with the use of instruments for the measurement and calculation of the elements of the triangle of velocities.

(e) (1) Elementary knowledge of the various systems of guiding by radio-electric means applicable to the use of aircraft (apparatus in aircraft and ground installations). Value of the various systems in the practical conditions of operation.

(2) Methods of fixing the position of an aircraft by means of direction finding bearings and radio-beacons with the application of the necessary corrections.

(3) Knowledge of the organisation and methods of radio-electric orientation, including the practical use of the groups of the "Q" Code concerning operation.

(f) International air legislation; regulations for the prevention of collisions at sea; publications for the assistance of navigators.

(g) Signalling:—

- (1) Use of signalling apparatus.
- (i) Semaphore—Ability to send and receive accurately messages made in plain language at the rate of 10 words per minute.
- (ii) Flashing Morse—Ability to send and receive accurately messages made either in coded groups or in plain language and numerals at the rate of 8 words per minute.
- (iii) Aural Morse—Ability to send and receive accurately messages made either in coded groups or in plain language and numerals at the rate of 4 words per minute.

(2) Detailed knowledge of the procedure for opening up communication and conducting messages by means of Semaphore, Flashing and Aural Morse Signalling.

(3) International Code Flags, Names and colours of flags. Method of reading the flags when hoisted.

(h) Meteorology; knowledge of meteorological elements and observations; arrangements for the issue of meteorological reports for aviation; principles of forecasting; construction and interpretation of synoptic charts; climatology.

(2) An applicant for a first class licence shall be required to pass to the satisfaction of the examiners an examination on the subjects prescribed for a second class licence of which a more advanced knowledge will be required, and in addition an examination on the following subjects:

(a) Form of the earth. Mathematical calculation of various elements by spherical trigonometry (great circle courses and distances).

(b) Maps and Charts. Principles of construction of the common projections used in Air Navigation.

(c) Tides—Elementary theory and prediction by the aid of tables.

(d) Astronomical navigation. Various methods of fixing the position of an aircraft with the use and care of tables, diagrams and instruments for the solution of this problem. Knowledge of the mathematics involved.

(3) The arrangement of subjects detailed in this paragraph shall not necessarily be that adopted in the examination where two or more subjects may be grouped into one paper. The examination shall usually be written but shall be accompanied by oral and practical tests.

3. Medical Examination.—The medical examination shall be conducted by medical officers specially approved by the Governor General in Council, shall be based upon the same requirements and shall be undertaken under the same conditions as set out in paragraph 4 of Section A for a Pilot's "A" Licence with the following modifications:—

(1) *General surgical examination.*—The applicant must neither suffer from any wound or injury nor have undergone any operation, nor possess any abnormality, congenital or acquired, which might interfere with the performance of his duties. The remaining conditions for this examination shall be the same as those set out in clause (b) of sub-paragraph (2) of paragraph 4 of Section A.

(2) *General Medical Examination.*—The applicant must not suffer from any disease or disability which might interfere with the performance of his duties. The remaining conditions for this examination shall be the same as those set out in clause (c) of sub-paragraph (2) of paragraph 4 of Section A.

(3) *Eye Examination.*—The applicant must possess, with correction by glasses if necessary, a visual acuity equal to 100 per cent., that is to say normal for each eye taken separately.

SECTION F.—RADIO-TELEGRAPH OPERATOR'S LICENSES.

1. Flying Experience—

(1) For the original grant of a licence, the applicant shall be required to produce evidence of having had the following minimum air experience while performing satisfactorily in an aircraft the duties of a radio-telegraph operator:—

- (a) Radio-telephone licence—ten hours as a radio-telephone operator.
- (b) Second Class licence—twenty hours. } Other than as a radio-telephone
- (c) First Class licence—seventy hours. } operator.

(2) For the renewal of a licence, the applicant shall be required to produce evidence of having had, during the two years immediately preceding the date of application, the air experience specified in sub-rule (1) for the original grant of the licence.

2. Medical Examination—

(1) An applicant for a licence shall be required to undergo a medical examination, by medical officers specially approved for the purpose by the Governor General in Council. This examination shall be based on the requirements set out in paragraph 4 of Section A, with the following modifications, namely:—

- (a) normal colour perception shall not be required;
- (b) binocular vision, ocular poise and ocular mobility may be sub-normal;
- (c) visual acuity may be reduced for the two eyes with correction by glasses to a total of 50 per cent. of the normal visual acuity, it being admitted that one eye may be entirely lacking.
- (2) Special attention shall be paid to the following requirements:—
 - (a) freedom of nasal air passage;
 - (b) patency of Eustachian tubes;
 - (c) absence of active otitis media; absence of ceruminous or apidermal plugs;
 - (d) perception of the whispered voice at seven feet or more for each ear;
 - (e) perfect perception of air vibrations between 512 and 2,048;
 - (f) absence of symptoms of serious labyrinthine disorder (vertigo, vomiting, loss of balance) whether spontaneous or easily evoked.

SECTION G.—GENERAL.

1. The evidence normally required as proof of flying experience shall consist of the production of a Pilot's Log Book certified by a responsible authority, or of a certified extract therefrom in the prescribed form. Such flying experience shall be to the satisfaction of the Governor General in Council.

2. Flight by night for the purpose of this Schedule, except where otherwise stated, means flight performed between the hours of one hour after sunset and one hour before sunrise.

3. A cross country flight for the purpose of this Schedule means a flight of not less than 100 miles from the aerodrome from which the flight started, whether over land or sea.

4. In each flying test, unless otherwise specified, the candidate shall be alone in the flying machine.

5. The flying tests specified in Sections A to D, respectively, shall be carried out within a maximum period of two months, and together with the technical examinations specified in these Sections shall be completed within a period of nine months preceding the date of issue of the licence.

The flying tests may be carried out in any order and each may be attempted twice. They shall be witnessed by at least two properly accredited examiners who shall hand over the official reports to the proper authorities.

The official reports shall give full details of the flights, especially of the landings. The candidates shall, on demand by the examiners, furnish, before each test, proof of identity.

A barograph shall be carried on all height tests, and the graph signed by the two examiners shall be attached to their report.

• 6. All landings carried out in the course of the flying tests specified in Sections A to D, respectively shall be normal three point landings to the satisfaction of the examiner.

7. (1) Application for the grant of licences should be made to the Director of Civil Aviation, Simla, New Delhi, by whom all the necessary forms shall be supplied on demand.

(2) Such applications shall be accompanied by—

(a) three unmounted photographs of the applicant's head uncovered, the image of the head measuring approximately $1\frac{1}{4}'' \times \frac{3}{4}''$;

(b) the necessary medical certificates, and examiner's reports where these have not been sent direct;

(c) the treasury receipt for the payment of the fee due.

8. An applicant who fails in any subject of the technical examinations specified in Sections A to D, shall not be permitted to appear for re-examination for a period of 8 months or such lesser period as may be intimated by the examiner or by the Director of Civil Aviation in India.

SCHEDULE III.

(See Part VI.)

Detailed Conditions Applicable to the Issue, Validity and Renewal of Certificates of Airworthiness, and Ground Engineers' Licences.

SECTION A.

Classification of Flying Machine

1. Every flying machine for which a certificate of airworthiness is granted shall be classified on such certificate as belonging to one of the following categories and one or more of the following sub-divisions:—

(1) *Normal Category*:—

Sub-division (a).—Passenger machines.

Sub-division (b).—Mail machines.

Sub-division (c).—Goods machines.

Sub-division (d).—Aerial work machines.

Sub-division (e).—Private machines.

(2) *Special Category*:—

Sub-division (e)—Private machines.

"Racing or record machines" means machines which are specially intended or arranged for the purpose of sporting or technical performances, to the exclusion of all other uses.

Sub-division (g).—Research or experimented machines.

"Research or experimental machines" means machines which are specially intended or arranged for the purpose of experimenting in flight with new apparatus, to the exclusion of all other uses.

(3) *Arcobatic Category*:—

Sub-divisions (a) to (g) as in the two preceding categories.

Notes.—(i) An aerial work machine may be limited by the certificate of airworthiness to specific purposes for which it is designed or equipped.

(ii) Machines in the Normal Category must not be flown at indicated air speeds greatly in excess of the indicated air speed corresponding to steady horizontal flight at the international number of revolutions per minute, as specified in the certificate of airworthiness, at the rated altitude of the engine(s) and must in no circumstances be flown at speeds greater than 50 per cent. in excess of this speed. They are limited to normal flight.

(iii) The conditions of flight for machines in the Special Category shall be determined for each individual machine on its merits. Flights of such machines may, as a precautionary measure, be limited to certain areas and to certain periods.

(iv) Machines in the Arcobatic Category shall not be restricted as to the indicated air speed at which they may be flown and shall not be limited to normal flight.

(v) The Category in which a flying machine may be given a certificate of airworthiness shall depend upon its load factors, its performance and its equipment.

2. A flying machine which is classified in any sub-division in the Normal or Special Category may be used for any of the sub-divisions which follow in those categories, and a flying machine which is classified in any sub-division in the Arcobatic Category may be used for any of the sub-divisions which follow in that category, provided in each case that while being so used all the conditions (including those relating to the equipment and operation of the machine) applicable to the sub-division concerned shall be complied with.

SECTION B.

Instruments and equipment to be carried by flying machines.

1. The following instruments and equipment shall be required in the circumstances detailed to be carried when flying machines which are required to be provided with a certificate of airworthiness:—

(1) In all flying machines:—

(a) For all flights:—

The instruments specified in rule 52, in addition—

• Hand fire extinguisher in each main compartment carrying personnel, except when other approved fire extinguishing apparatus is fitted. Lap strap for every seat provided in the machine other than for the pilot, the lap straps to be replaced by safety harness if the machine is flown in accordance with the conditions applicable to the acrobatic category.

(b) For flights which extend beyond a radius of 3 miles from the point of departure:—

Equipment, as required by the circumstances of the case for making the signals prescribed in these Rules.

(c) For flights any part of which takes place between sunset and sunrise:—

Navigation lights. Illumination for instruments and equipment.

(2) In public transport flying machines, in addition:—

(d) For flights which extend beyond a radius of 20 miles from the point of departure:

Compass

Watch.

Map or maps to cover the whole route of the proposed flight.

Directional gyro or Turn indicator.
Sensitive altimeter when radio-telegraph apparatus is carried.
Artificial horizon or pitch indicator.

} for machines operating on a regular scheduled air service and for machines capable of carrying five or more persons including the crew.

(e) For flights at any point of which the machine is more than 10 miles from the nearest land:—

Life belt for each person on board notices are to be displayed in the cabin of the machine stating where the lifebelts are situated and instructing passengers how to use them in the event of their being required. The place of stowage is to be clearly and prominently marked "Lifebelt" or "Lifebelts" as the case may be.

(f) For flights any part of which takes place between the hours of sunset and sunrise observed respectively at the ground level of the region flown over and at any point of which the machine is more than 3 miles from the nearest lighted aerodrome approved for night flying:—

Landing lights consisting of one of the following arrangements:—

Two wing tip flares; or

One single filament lamp and one wing tip flare; or

Two single filament lamps; or

One dual filament lamp with separately energized filaments.

(g) For flights on which a licensed navigator is required, by Part V of these rules, to be carried:—

Drift Indicator, for machines with seating accommodation, as shewn in the certificate of airworthiness, for more than five persons.

Chart table.

Navigator instruments.

Navigator's air speed indicator.

Navigator's altimeter.

Navigator's compass.

As may be required by the duties and location of the Navigator.

Note.—The rules with regard to carriage of radio-telegraph apparatus are contained in Parts II and VII.

(h) For flights over uninhabited or sparsely inhabited regions:—
Two days' supply of water and food for each person on board.

(3) In boat seaplanes whose weight fully loaded exceeds 5,000 lbs.:—
Such fittings and accessories as are necessary for manoeuvring in harbour including at least two drogues capable of being paid out astern while the seaplane is being towed."

SECTION C.

Weighing and marking of flying machines.

1. Every flying machine shall be weighed:—

(a) before a certificate of airworthiness is issued in respect thereof and
(b) at such times after the issue of a certificate of airworthiness as the Governor General in Council may require.

2. (1) Every flying machine for which a certificate of airworthiness is for the time being in force shall carry, exhibited in a prominent position inside it, a weight schedule in the following form:—

WEIGHT SCHEDULE

Flying Machine

(Insert nationality and registration marks)

Lbs.

A.—Weight empty.

(i) Weight of flying machine, including water in system when fitted with liquid cooled engine(s) and also including all items of fixed equipment and fixed portions of wireless or other equipment.

(ii) Items included in the above weight as fixed equipment or fixed portions of equipment, *viz.*:—

B.—Weight of Equipment regarded as Removable equipment.

(i) Weights of all items of equipment (or portions thereof) regarded as removable, exclusive of wireless equipment or portions thereof, *viz.*:—

(2) Every such flying machine shall also bear clearly painted upon it in a prominent position:—

(a) Its weight empty as arrived at in the manner indicated in A (i) of the above form of weight schedule that is to say, its weight including water in system when fitted with liquid cooled engine(s) and also including all items of fixed equipment and fixed portions of wireless or other equipment.

(b) The maximum total weight authorised for it, as shown for the time being in its certificate of airworthiness.

(3) If any alteration affecting the weight of any such flying machine or its equipment, whether fixed or removable, has been made since it was last weighed, the weight schedule which it carries in accordance with subparagraph (1) of this paragraph shall be amended accordingly or replaced by a revised schedule.

3. When a flying machine for which a certificate of airworthiness is in force is re-weighed in accordance with paragraph 1 (b), the items of fixed equipment and fixed portions of equipment which it carries shall be checked against the weight schedule referred to in paragraph 2."

SECTION D.

Inspection of aircraft before flight

1. **Conditions of inspection.**—The inspection of a flying machine required by rule 60 shall be in accordance with the following provisions:—

(a) inspection of the flying machine (including its instruments and equipment, but exclusive of the engine or engines and engine installation

and of the instruments relating thereto) shall be carried out by a ground engineer licensed in Category A in respect of aircraft of the type in question;

(b) inspection of the engine or engines and engine installation and of the instruments relating thereto shall be carried out by a ground engineer licensed in Category C in respect of engines of the type or types in question;

(c) the whole of the inspection may be carried out by the same ground engineer, provided that he shall be licensed both in Category A and in Category C in respect of aircraft and engines of the types in question.

2. Form of ground engineer's certificate.—The certificate of the ground engineer required by rule 60 (2) shall be made out in duplicate in the following form:—

Certificate of safety for flight.

Aircraft Type

Nationality and Registration Marks

(a) I hereby certify that I have this day inspected the above aircraft [including its instruments and equipment, but exclusive of the engine(s) and engine installation and of the instruments relating thereto], and that I am satisfied that it is safe in every way for flight, provided that the conditions of loading specified in the certificate of airworthiness are complied with.

(Signed)

Ground Engineer; Licence No.

Category

Date

Time

(b) And I hereby certify that I have this day inspected the engine(s) and engine installation (including the instruments relating thereto) of the above aircraft and that I am satisfied that they are in every way fit for flight.

(Signed)

Ground Engineer; Licence No.

Category

Date

Time

3. Pilot's inspection.—The inspection of a flying machine required by sub-rule (3) of rule 60 shall be such as to satisfy the pilot or person in charge of the flying machine on the points enumerated hereunder:—

(a) the aircraft is equipped with the prescribed instruments and equipment;

(b) the controls of the machine are working freely in the correct sense, and the engines are giving their correct revolutions;

(c) the aircraft is satisfactorily loaded with respect to total load and distribution of load as specified in the certificate of air-worthiness, with such modification as may be necessitated by the conditions of the proposed flight;

(d) the view of the pilot is not interfered with by any obstruction not forming part of the structure of the aircraft;

(e) sufficient fuel, oil and water are on board for the purpose of the proposed flight, and the fuel and oil are of a grade specified by the manufacturer of the engine;

and in the case of every flying machine which is required by rule 15 to be certified as airworthy:—

(f) the aircraft, engines, instruments and equipment have been certified by a ground engineer holding the appropriate licence as fit in every way for the proposed flight, in accordance with rule 60.

4. Load sheet.—In the case of a public transport flying machine effecting public transport on a regular air service, a load sheet shall be completed by the person superintending the loading and such load sheet shall be submitted to the pilot or person in charge for the purpose of satisfying himself that the conditions set out in clause (c) of paragraph 3 have been complied with.

5. Disposal of certificates.—Of the copies of the certificates referred to in this Section, one copy shall be retained by the owner or operator of the aircraft, and one copy shall be carried in the journey log book until replaced by a further certificate issued under this Section. The load sheet shall be kept by the owner or operator of the aircraft. Certificates and load sheets shall be kept for six months from the date of their completion.

SECTION E.

Inspection of aircraft during construction, overhaul, repair, etc.

1. For the purpose of this Section references to "flying machines" except where the contrary intention appears, shall be deemed to include aero engines and the instruments, equipment and accessories of flying machines and aero engines, to which like conditions shall apply.

2. Conditions of Inspection.—When any flying machine which is required by these Rules to be certified as airworthy or in respect of which application for a certificate of airworthiness has been made is constructed, overhauled, repaired or modified, or when any part thereof is replaced, the flying machine shall not fly except in so far as flying machines which have no certificates of airworthiness are permitted to fly under these Rules, unless and until the following conditions have been complied with:—

(1) The work shall be completed in all essential respects in accordance with—

(a) the approved type design in conformity with which the flying machine was constructed, including any modifications to that design or to the flying machine which may have been required or approved by the Central Government, or

(b) a repair scheme which has been approved by the Central Government.

(2) The materials used shall be not inferior to those authorised for the type design in conformity with which the flying machine was constructed.

(3) The work shall be inspected in accordance with the provisions respecting inspection of subsequent flying machines applicable to the case.

(4) A certificate in the form set out in paragraph 4 of this Section, shall be obtained:

Provided that, in the case of repairs where it is not reasonably practicable to comply with the above requirements, whether by reason of particulars of the type design not being available or otherwise, a temporary repair may be made for the purpose of enabling the flying machine to proceed directly to the nearest place at which a repair complying with the above requirements can be carried out, and, if the pilot is satisfied that, having regard to all the circumstances of the case, such repair is adequate for the purpose, the flying machine may then proceed to fly to such place.

Provided further that, if it is proposed that such temporary repair shall remain in service, it shall be treated as a modification requiring the approval of the Central Government and until such approval has been obtained the flying machine shall not fly except as specified in the preceding proviso or

in so far as aircraft which have no certificate of airworthiness are permitted to fly under these Rules.

3. Inspection Requirements.—The following conditions shall be complied with in the inspection of flying machines during construction (including overhaul), repair, modification, or replacements, namely:—

(1) All materials used in the construction of the flying machine shall be in accordance with the approved specification for the first flying machine constructed of that particular type, and such material shall be adequately identified as being of the approved specification or shall be proved to comply with such specification by suitable examination, sampling and testing.

(2) Every part must be approved by the constructor's inspecting staff by suitable process of testing and inspection to conform strictly to the approved type design. The constructor's inspecting staff shall stamp, or otherwise provide means for the identification of, all parts approved by them for incorporation in the flying machine in such a way that the person so approving each such part can subsequently be identified.

(3) Only parts which have been approved in accordance with clause (2) may be issued to the workshops for assembly into the flying machine.

(4) The constructor shall maintain an efficient process inspection during the work of assembly and record the progress of such inspection for each component. Every component shall be finally inspected and approved by a qualified member of his inspection staff, who shall mark the component in such a way that he may afterwards be identified as the person having so approved it and shall also sign the inspection record.

(5) Operations such as heat treatment of steels and nonferrous metals, seasoning and conversion of timber, glueing of important parts, doping, welding, whitematelling, brazing and soldering shall be carried out by methods approved by the Central Government.

(6) The constructor shall ensure that all components and parts obtained from sub-contractors have been inspected and approved in accordance with these conditions.

(7) The constructor shall ensure that all engines fitted in the flying machine have been inspected and approved in accordance with these conditions and have passed satisfactory tests. The constructor shall provide adequate facilities for these tests.

(8) The constructor shall ensure that the instruments and equipment fitted in accordance with Section B have been manufactured, and any repairs thereto executed, in accordance with approved specifications.

(9) The constructor shall ensure by suitable inspection that all engines, instruments and parts (including wiring for electrical equipment and radio-telegraph apparatus) which are fitted into the flying machine are so installed as to function correctly. The persons responsible, for such inspection shall be indicated by signatures on the inspection record referred to in clause (4).

(10) The inspection record referred to in clause (4) of this paragraph shall be retained by the constructor.

(11) For the purpose of this paragraph the "constructor" is the person who, or firm which carries out any construction, overhaul, repair, modification or replacement.

4. Form of certificate.—The certificate referred to in clause (4) of paragraph 2 shall be appended to the written particulars of the construction, overhaul, repair, modification or replacement to which it relates, and shall be in the following form:—

I hereby certify that in carrying out the construction, overhaul, repair, modification, replacement, specified above all the conditions required for

the inspection of subsequent flying machines during construction which are applicable to this flying machine have been complied with.

Signed
Designation
Date

5. Persons authorised to give certificates.—The certificate referred to in clause (4) of paragraph 2 shall be signed by a ground engineer qualified under the terms and conditions of his licence to carry out or inspect the construction, overhaul, repair, modification, or replacement to which the certificate relates, or by a person authorised by a firm or company approved by the Central Government in this behalf, or, where the construction, overhaul, repair, or replacement has been carried out at a Royal Air Force workshop by Royal Air Force personnel, by the officer in charge of that workshop.

6. Ground Engineers authorised to inspect.—The categories of ground engineers who are authorised to inspect construction, overhauls, replacements, modifications and repairs are as follows:—

(a) Inspection of flying machines, excluding engines—a ground engineer licensed in Category B in respect of flying machines of the type in question.

(b) Inspection of engines—a ground engineer licensed in a Category D in respect of engines of the type in question.

(c) Inspection of instruments, equipment and accessories of flying machines and engines—a ground engineer licensed in Category X in respect of the type of instrument, equipment or accessory in question.

7. Disposal of certificates.—The certificate referred to in clause (4) of paragraph 2 shall, in the case of a newly constructed flying machine, be placed in the Inspection Record referred to in clause (4) of paragraph 3, and otherwise shall, when it relates to the flying machine exclusive of the engine or engines, be written in the Aircraft log book, or, when it relates to the engine or engines, be written in the engine log book, or when it relates to instruments, equipment and accessories, in the aircraft or engine log book as may be most appropriate.

Provided that, if the appropriate log book, is not at the place where the overhaul, repair, modification or replacement is carried out, the certificate may be given separately, but shall be pasted in the log book as soon as practicable and shall be kept with the working copy of the log book until so pasted.

8. Inspection after damage.—When structural damage which materially impairs its safety occurs to a flying machine in respect of which a certificate of airworthiness is required by these Rules, the flying machine shall not again fly until the damage has been repaired and a certificate has been obtained in accordance with this section.

9. Defective parts.—When any part of flying machine, an aero-engine, or an instrument or equipment of a flying machine is revealed by inspection to be defective, the Central Government may require it to be delivered to a person authorised by him in this behalf for examination, and on a request being made by the owner such part shall be returned to him after examination.

10. Further conditions applicable to construction of flying machines.—In the case of construction of flying machine, the following conditions shall be complied with namely:—

(1) On completion of the construction of the flying machine, flying trials will be carried out by the applicant's or constructor's pilot under approved arrangements.

(2) On completion of the flying trials referred to in clause (1) of this paragraph, a final inspection of the flying machine as regards its fitness for flight shall be made by a representative or representatives of the constructor

holding ground engineer's licences in Categories A and C for the type of flying machine concerned, and, if the result of this inspection warrants it, a certificate of fitness for flight in the form specified in paragraph 2 of Section D of this Schedule shall be furnished.

(3) On completion of the whole of the inspection operations specified above, the constructor shall forward to the Director of Civil Aviation in India a summary of the inspection record of the flying machine referred to in clause (4) of paragraph 3 in the form provided.

* [G. of I. Comms. Deptt. notfn. No. M-94, dated 24th October 1939.]

Section F

Ground Engineers' Licences. Qualifying Tests and Examinations

1. Practical experience required.—(1) An applicant for the grant of a licence under rule 61 shall normally be required to satisfy the examiner appointed or approved by the Governor General in Council in this behalf that he has the qualifications and has had the practical experience detailed below for the appropriate category of licence:—

Category A.—Not less than two years on aircraft maintenance or construction and maintenance.

Category B.—Not less than two years on aircraft construction, including overhaul and the testing of materials used in aircraft construction, and not less than four years in all on aircraft construction and maintenance. The applicant must be the holder of a licence in Category A.

Category C.—Not less than two years on aero-engine maintenance or construction and maintenance.

Category D.—Not less than two years on aero-engine construction, including overhaul and the testing of materials used in aero-engine construction, and not less than four years in all on aero-engine construction and maintenance. The applicant must be the holder of a licence in Category C.

Category X.—Such practical experience of the particular work of which the licence is required as in the opinion of the authorised examiners will enable the candidate to perform satisfactorily the duties for which the licence is required.

(2) A shorter period of practical experience than that specified may be accepted as sufficient on proof that the candidate has otherwise acquired adequate engineering experience which may be applied to the construction or maintenance of aircraft, aero-engines, instruments, accessories or equipment as the case may require.

(3) A candidate whose experience is limited to particular types of construction, methods of overhaul or materials may be granted a licence restricted to those particular types of construction, methods of overhaul or materials:

Provided that an applicant for such a restricted licence in Category B or D shall have had not less than one year's experience in the complete overhaul or construction and overhaul of aircraft or aero-engines, as the case may be, and not less than three years' experience in all in aircraft construction, overhaul and maintenance, or aero-engine construction, overhaul and maintenance, as the case may be, and shall, if an applicant for a B licence, have held an A licence for one year, and, if an applicant for a D licence, have held a C licence for one year.

2. (1) Technical Examination.—An applicant for the grant of a licence shall be required to pass to the satisfaction of the examiner an examination in the subjects detailed below for the appropriate category of licence:—
For all Categories.

Duties and responsibilities of a ground engineer; approved materials and distribution procedure; procedure regarding modifications; forms and procedure regarding certificates and log book entries; prescribed equipment of aircraft; general principles of engineering practice.

Category A.**Inspection of aircraft before flight**

- Elementary theory of flight as applied to rigging;
 Erection and inspection of aircraft and adjustment of flying controls;
 Inspection for wear and tear and inspection after accident;
 Methods of carrying out repairs, replacements and modifications permitted under Category A;
 Common defects of aircraft components;
 Fitting and inspection of airscrews;
 Principles of construction, installation and inspection of air speed indicators and altimeters;
 Principles of construction, installation and inspection of various types of turn indicators and electrical equipment;
 Erection, truing and inspection of hulls and floats.

Category B.**Inspection of aircraft during construction or overhaul**

- The subjects for Category A, and in addition:—
 Processes of manufacture, inspection, testing and identification of aircraft materials and parts;
 Methods of repair, assembly, inspection and testing of aircraft components and complete aircraft.

Category C.**Inspection of aero-engines before flight**

- Principles of internal combustion engines;
 Constructional details of types of aero-engines;
 Top overhaul; methods, common defects and permissible allowances for wear and distortion;
 Clearances and tolerances, use of measuring instruments, and knowledge of principles of expansion of metals;
 System of carburation, ignition and lubrication;
 Detection and correction of running defects;
 Installation of engines and inspection of installation and engine controls;
 Fitting and inspection of airscrews;
 Principles of construction, installation and inspection of aero-engine instruments,
 Routine inspection and testing of aero-engines preparatory to flight.

Category D.**Inspection of aero-engines during construction or complete overhaul.**

- The subjects of Category C, and in addition:—
 Processes of manufacture, inspection, testing and identification of aero-engine materials and parts;
 Methods of repair, assembly, inspection and testing of aero-engine components and complete aero-engines.

Note.—In the case of restricted B and D licences, such portions of the appropriate syllabus may be omitted as the examiner thinks fit.

Category X.

One or more of the following subjects according to the purpose for which the licence is required:—

- (1) Repair, overhaul and testing of magnetos.
- (2) Repair, overhaul, testing and calibration of aircraft and aero-engine instruments.
- (3) Inspection, packing and maintenance of parachutes.
- (4) Installation and compensation of compasses in aircraft.
- (5) Construction and repair by welding.

- (2) The examiners may require a candidate to undergo a practical test in any of the subjects of examination.
- (3) An applicant for the renewal of a licence who has not, since the issue of the licence, been employed on the work for which the licence was issued may be required to undergo re-examination as a condition of the renewal of the licence.

Section G General

1. Application for the issue or renewal of certificates of airworthiness and ground engineer's licences shall be made to the Director of Civil Aviation in India, Simla/New Delhi, by whom all the necessary forms shall be supplied on demand, and by whom instructions shall be issued as to the place and time of inspection or examination and as to further information or evidence required for the purpose of the issue of the certificate or licence.

2. The detailed syllabus of examination for ground engineers shall be supplied by the Director of Civil Aviation in India, Simla/New Delhi, on demand.

SCHEDULE IV

Diagrams

Figure 1. Navigation Lights.—Angular limits prescribed in rule 89.

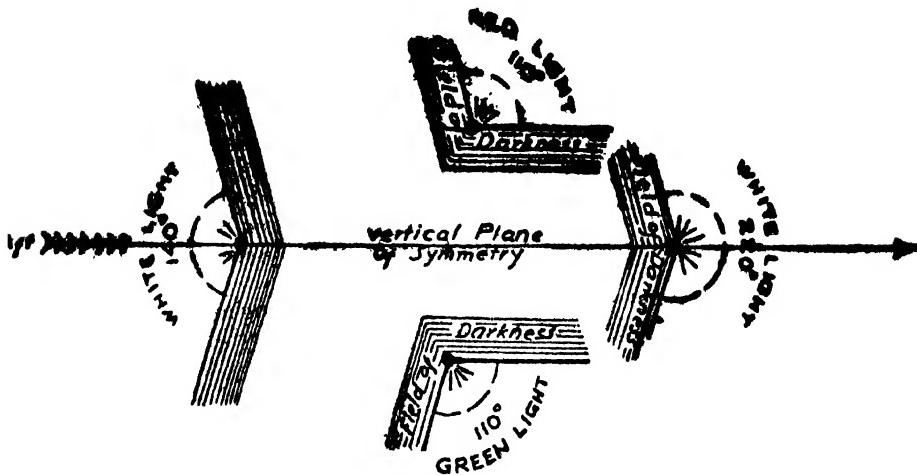


Figure 2.—Star of five points prescribed in sub-rule (2) of rule 105.

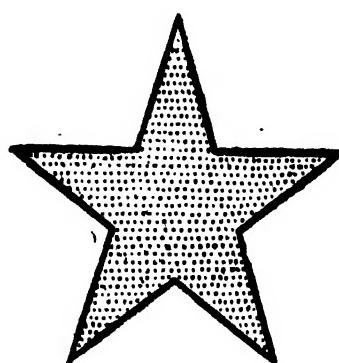


Figure 3.—Red square panel prescribed in sub-rule (3) of rule 105.



Figure 4.—Red square panel and red rectangular panel prescribed in sub-rule (4) of rule 105.

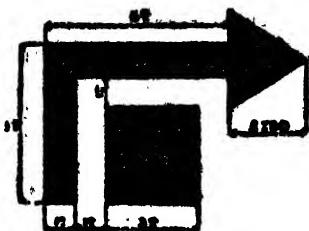


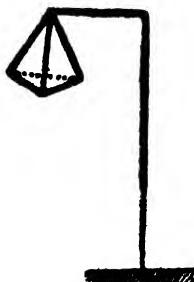
Figure 5.—Red square prescribed in sub-rule (5) of rule 105.



Figure 6.—Red square panel prescribed in sub-rule (6) of rule 105.



Figure 7.—Mast and triangular equilateral pyramid prescribed in sub-rule (7) of rule 105.



SCHEDULE V**AERODROMES****Section A.—Requisites to grant of licence**
(See rule 86)

1. The landing area shall be of adequate dimensions for the type of aircraft in respect of which the licence is required, having regard to the altitude of the ground and the nature of surrounding obstructions.
2. The landing area shall be sufficiently level and smooth to present no danger to aircraft landing or taking off, and sufficiently firm in the conditions in which it is to be used to withstand the weight of the aircraft, to be used.
3. The landing area shall be adequately marked with boundary marks and such bad ground, or other, markings as may be considered necessary by the Director of Civil Aviation in India.
4. For an aerodrome to be used for night flying, the following equipment shall be provided, namely—boundary lights, obstruction lights, illuminated wind indicator, and either flares or floodlight.
5. The direction of the wind shall be clearly indicated by one or more of the recognised methods approved by the Director of Civil Aviation in India.
6. For an aerodrome open to public use such international signals shall be displayed as may be specified by the Director of Civil Aviation in India.

Section B. Tariff of landing and housing charges at Government Aerodromes
 (See rule 82)

1. The charges for landing and housing of aircraft, other than airships, at Government aerodromes shall be as follows :—

| Type of aircraft | Landing fees | | | | | | Housing fees (excluding landing fees) | | |
|--|-------------------------------------|---|--|---|--|--|--|---|-----|
| | For machines fitted with tail skids | | For machines fitted with tail wheels, for seaplanes and flying boats | | Extra for each landing for machines fitted with wireless telegraph | Extra for each landing or departure at night | Up to 24 hours | For one month. (At a specified aerodrome) | |
| | For single landing | Covering all landings in one month at a specified aerodrome | For single landing | Covering all landings in one month at a specified aerodrome | | | | | |
| | Rs. | As. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. |
| A.A.—Small type occupying not more than 500 sq. ft. of area. | 1 | 0 | 15 | 1 | 15 | 2 | 2 | 1 | 15 |
| A.—Small type occupying more than 500 sq. ft. but not more than 1,000 sq. ft. | 1 | 8 | 25 | 1 | 15 | 2 | 2 | 2 | 30 |
| B.—Medium type occupying over 1,000 sq. ft. but not more than 2,000 sq. ft. | 3 | 0 | 90 | 2 | 60 | 2 | 2 | 6 | 90 |
| C.—Large type occupying over 2,000 sq. ft. but not more than 4,000 sq. ft. | 8 | 0 | 240 | 6 | 180 | 5 | 5 | 15 | 225 |
| D.—Large type occupying more than 4,000 sq. ft. and not more than 10,000 sq. ft. | 15 | 0 | 450 | 11 | 330 | 5 | 5 | 30 | 450 |
| E.—Large type occupying more than 10,000 sq. ft. | 25 | 0 | 750 | 20 | 600 | 10 | 10 | 40 | 600 |

2. For landing purposes, the area of an aircraft shall be calculated the product of the span and the length of the aircraft.

3. The payment of the landing fee shall entitle aircraft to the use of the landing ground for alighting and departure, to the supply of all available information as to routes and weather conditions, and to the services of the aerodrome personnel, if available, for manual assistance in guiding, housing or mooring the aircraft.

4. Any flight, of which prior notice is given to the Aerodrome Officer, and which is undertaken solely for the purpose of ascertaining the serviceability in the air of the engine or engines, air frame or equipment of the aircraft flown, shall be deemed to be a test flight and shall be exempt from the levy of a landing fee.

5. The extra fee for each landing or departure at night will be levied only when personnel are required to attend, or flares or other lighting apparatus are used.

6. In lieu of the extra fee for each landing or departure at night the person by whom such fee is payable may at his option pay a charge of Rs. 5 per half hour or part thereof for a succession of landings or departures performed by a single user of the aircraft concerned.

6A. The extra fee for each landing of an aircraft fitted with wireless telegraph apparatus will be levied only when a ground wireless telegraph station has been keeping watch in the area of the flight.

7. In respect of an aircraft fitted with wireless telegraph apparatus, in lieu of the extra fee for each landing, and in addition to the standard landing fee, a person by whom such fee is payable may at his option pay a monthly charge at the following rates:—

| Class | Rs. |
|-------|-----|
| AA | 30 |
| A | 30 |
| B | 30 |
| C | 75 |
| D | 75 |
| E | 150 |

8. When an aerodrome is used temporarily for repeated landings, a daily charge equivalent to five times the charge for a single landing for the class of aircraft concerned shall be levied in respect of each aircraft, subject to a maximum total charge, in the first or any subsequent period of 30 consecutive days included in the period during which the aerodrome is so used or in any further period of less than 30 days so included, equivalent to the monthly charge set out in paragraph 1.

9. All charges for landing shall be paid either at the time of, or immediately after, the use of the landing ground.

10. For housing purposes, the area of an aircraft shall be calculated as the product of the span or overall width and the length of the aircraft in the condition in which it is housed:

Provided that, with the approval of the aerodrome authority, it shall not be necessary to fold the supporting surfaces of a flying machine in order to obtain a reduction of the housing fee when there is space available and the period of housing will not exceed 24 hours.

11. 50 per cent. of the standard housing fees shall be charged for mooring aircraft in the open, but this charge shall be made only after an aircraft has been left on the aerodrome for a period of not less than six hours.

12. All charges for housing and mooring other than daily charges shall be paid in advance. When housing space which has been paid for in advance is not used, the space may be used for the housing of other aircraft, and no refund shall be made to the lessee unless he is prevented by the housing of other aircraft from obtaining accommodation for his aircraft.

13. Special rates for long periods may be fixed, on application to the Director of Civil Aviation, in cases in which a number of aircraft are housed or where extensive use is made of facilities over a long period.

14. No housing charge shall be levied in respect of an aircraft housed in a Government hangar for the purpose of inspection by a Government Aircraft Inspector during the period certified as necessary for the inspection by the Aircraft Inspector, including such period not exceeding 3 days after the conclusion of the actual inspection as may be necessary for re-assembly consequent on the inspection.

SCHEDULE VI

PENALTIES

(See Rule 139)

| Nature of offence | Rule Relevant or Rules | Penalty |
|--|------------------------------------|---|
| 1. <i>Registration and marking of aircraft.</i> —Contravention of rules relating to the registration and marking of aircraft. | Rule 5 and the rules in Part IV. | |
| 2. <i>Documents.</i> —Contravention of the rules relating to carriage and production of documents. | 7, 17, 19 . . . | |
| 3. <i>Radio-telegraphy.</i> —Contravention of the rules relating to the use of radio-telegraph apparatus. | Rule 9 and the rules in Part VII. | |
| 4. <i>Mails.</i> —Contravention of the rule relating to the carriage of mails. | 10 | Imprisonment for a term not exceeding one month, or a fine not exceeding Rs. 250 or both. |
| 5. <i>Aerial work and public transport.</i> —Unauthorised use of aircraft for aerial work or public transport. | 14 | |
| 6. <i>Log Books.</i> —Contravention of the rules governing the issue and maintenance of log books. | 67 | |
| 7. <i>Aircraft accidents.</i> —Failure to notify or submit reports on accidents. | 69, 70 . . . | |
| 8. <i>Aerodrome.</i> —Contravention of the rules relating to aerodromes. | Rule 11 and the rules in Part XI. | |
| 9. <i>Conditions under which aircraft may be flown.</i> — A. <i>Personnel.</i> —Contravention of the rules relating to personnel. | Rule 6 and the rules in Part V. | |
| B. <i>Airworthiness.</i> —Contravention of the rules relating to airworthiness. | Rule 15 and the rules in Part VI. | |
| 10. <i>Rules of the air.</i> —Contravention of the rules of the air. | Rule 16 and the rules in Part XII. | Imprisonment for a term not exceeding 2 months or a fine not exceeding Rs. 500 or both. |
| 11. <i>Detention of aircraft.</i> —Acts in contravention of any authorised direction given for the detention of an aircraft. | 18 (2) . . . | |
| 12. <i>General safety conditions.</i> —Contravention of the rules relating to General safety conditions. | The rules in Part III. | |
| 13. <i>Air Route beacons, etc.</i> —Contravention of the rules relating to the supply, supervision and control of air route beacons, aerodrome lights and lights at or in the neighbourhood of aerodromes or air routes. | The rules in Part VIII. | Imprisonment for a term not exceeding 2 months or a fine not exceeding Rs. 500 or both. |

PENALTIES—*contd.*

| Nature of offence | Relevant Rule or Rules | Penalty |
|--|--|--|
| 14. Prohibited Carriage.— | | |
| A. Passengers.— (1) Carriage into British India of persons without valid passports. | 7A (1) . . | |
| (2) Failure to obey directions of empowered authority to transport out of British India persons who have been carried without valid passports. | 7A (2) . . | |
| B. Articles.— Unauthorised carriage on aircraft of certain articles. | 8 . . . | |
| 15. Prohibited areas.— Unauthorised flight over or photography of areas prohibited to aircraft. | 12, 13 . . | |
| 16. Entry and departure of aircraft.— Contra-vention of the conditions under which aircraft may enter or leave British India. | The rules in Part IX of the Indian Aircraft Rules, 1920. | Imprisonment for a term not exceeding 3 months, or a fine not exceeding Rs. 1,000 or both. |
| 17. Aircraft accidents.— Removal of or interference with aircraft to which an accident has occurred. | 71 . . . | |
| 18. Investigation of accidents.— Obstruction of proceedings. | 76 . . . | |
| 19. Documents.— Loan of or allowance of use of any licence or certificate issued under the rules. | 135 . . . | |
| 20. Foreign military aircraft.— Unauthorised flight or assistance in such flight. | 136 . . . | |
| 21. Obstruction of authorised persons in the performance of their duties, under the rules. | 137 . . . | |
| 22. The doing of any act prohibited by or under any rule not specified in the foregoing items. | .. | |

N. MAHADEVA AYYAR,
Additional Deputy Secretary to the Government of India..

Chapter III

INDIAN AIRCRAFT RULES, 1920 (PART IX)

[Corrected up to the 1st October 1945]

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CHAPTER III.**RULES AS TO AIRCRAFT ARRIVING IN OR DEPARTING
FROM BRITISH INDIA.**

53. Customs aerodromes and Customs-officers.—The Governor General in Council may for the purposes of this Part—

(a) by notification in the *Gazette of India* declare any aerodrome to be a customs-aerodrome; and

(b) appoint persons to be Chief Customs-authorities, Chief Customs-officers and Customs-collectors, and define the areas within which each such person shall exercise the powers and perform the duties conferred and imposed upon him hereunder.

54. Arrival and departure.—(1) No person in charge of an aircraft entering British India shall cause it to be landed in British India for the first time in any journey except at a customs aerodrome, unless the aircraft is compelled to land before arriving at a customs-aerodrome by accident, stress of weather or other unavoidable cause.

(2) No person in charge of an aircraft shall fly the same or allow it to be flown to a place outside British India save from a customs-aerodrome unless compelled to land after departure from a customs-aerodrome by accident, stress of weather or other unavoidable cause.

55. Import and export of goods.—(1) No person in any aircraft entering or departing from British India shall carry or allow to be carried in the aircraft any goods of which the import or export by sea or by land is prohibited by or under any law for the time being in force.

(2) No person in any aircraft entering British India shall break or alter any seal placed upon any part of the aircraft or upon any goods therein by an officer of customs at the aerodrome at which such aircraft departed for British India.

56. Procedure on arrival in British India.—(1) The person in charge of any aircraft arriving at a customs-aerodrome from a place outside British India shall, on landing forthwith cause the aircraft to be taken to the examination station at that aerodrome or, if, owing to circumstances over which he has no control, he is unable so to do, shall deliver the documents required by sub-rule (2), and thereafter remove all goods carried in the aircraft to the examination station in the presence of a Customs-collector or some person duly authorised by the Customs-collector in that behalf.

(2) Within twenty-four hours after the landing at any customs-aerodrome of an aircraft from a place outside British India, the person in charge thereof shall—

(a) deliver to the Customs-collector his journey log book and a manifest, list of passengers and their baggage and declaration of the goods and stores on board the aircraft signed by the proper officer of customs at the aerodrome from which he departed for British India; and

(b) land at such aerodrome for examination all passengers and their baggage carried in such aircraft, and produce, and, if required to do so, unload all goods in such aircraft for examination.

57. The person in charge of an aircraft proceeding to any place outside British India shall deliver to the Customs Collector at the customs aerodrome of departure his journey log book, and, if the aircraft carries any goods, a manifest and declaration in duplicate in such form as may be approved by the Chief Customs Officer declaring the goods and stores on such aircraft, and shall truly state therein the particulars required by such form. The journey log book and, if the aircraft carries any goods, one copy of the manifest and declaration will be signed by the Customs Collector and returned to the person in charge of the aircraft and such documents when so signed and returned shall constitute the necessary authority for the aircraft to proceed to its destination.

58. Unloading of goods on import.—(1) No person importing goods shall land the goods at any place in British India other than a customs-aerodrome, or shall, save as provided in sub-rule (1) of rule 56, unload the goods from any aircraft except at an examination station, or shall unload the goods except between such hours as the Chief Customs-authority by general, or special order directs, or shall remove the goods from an examination station unless the same have first been duly entered in the manner provided in this rule and produced to the Customs-collector and duly passed by him.

(2) No person shall remove from any aircraft any goods imported therein until the authority of the Customs-collector has been obtained.

(3) Any person importing goods shall deliver to the Customs-collector at the customs-aerodrome of importation a bill of entry of such goods in the manner provided in section 29 of the Sea Customs Act, 1878 (VIII of 1878), and shall truly furnish therein the several particulars required in a bill of entry under that section, and shall pay to such Collector duties thereon as if such goods were chargeable to duties under that Act.

(4) All goods imported into a customs-aerodrome shall be duly entered and unloaded within seven days from the time of the arrival of such aircraft at that aerodrome or within such further period as the Customs-collector or Chief Customs-officer may allow.

(5) All goods imported which have not been examined and passed by the Customs-collector shall be stored in a transit shed at the customs-aerodrome, and no person shall remove such goods from the transit shed before they have been examined and passed by such Collector.

For the purpose of this rule, the word "goods" shall be deemed to include aircraft imported by flight in so far as the provisions of the rule are applicable thereto.

(6) (a) No customs duty shall be levied on an aircraft not registered in British India which is brought into British India for the purpose of a flight to or across India, which it is not intended to register in British India and which it is intended to remove from India within six months from the date of entry, provided that the person in charge makes a written declaration to that effect to the Customs Collector on arrival.

(b) In the case of an aircraft in respect of which such a declaration has been made and which is not removed from India within 6 months the duty leviable in respect of it shall be paid to the Customs-collector before the aircraft is again flown.

(7) A full refund of the customs duty, if any, paid on the import of an aircraft by air into India shall be granted if the same is exported by air within 6 months of the date of its arrival:

Provided—

- (a) that the claim for such refund is made at the time of export from a customs-aerodrome,
- (b) that the identity of the aircraft is established to the satisfaction of the Customs-collector, and
- (c) that payment is demanded within six months from the date of export.

59. Procedure on export.—(1) The exporter of any goods shall deliver to the Customs-collector at the customs-aerodrome of departure a shipping bill in the manner provided in section 29 of the Sea Customs Act, 1878 (VIII of 1878), and shall truly furnish therein the several particulars required in a shipping bill under that section, and shall pay to such Collector duties thereon as if such goods were chargeable to duties under that Act, and such bill when signed by the Customs-collector shall be the clearance and authority for the exportation of such goods.

(2) No person shall without the consent of the Customs-collector unload from any aircraft any goods loaded thereon for export which have been cleared under sub-rule (1), or open, alter, or break any lock, mark or seal placed by any Customs-collector on any goods in any aircraft about to depart from British India.

60. Prohibition of signals in certain cases.—No person shall for the purpose of evading, or assisting the evasion, of the provisions of this Part make any signal from an aircraft entering or leaving British India.

61. Forced landings.—If any aircraft arriving from a place outside British India shall be forced to land in any place other than a customs-aerodrome, or if any aircraft is so forced after departure from a customs-aerodrome for a foreign destination, the person in charge of the aircraft shall, if the place of landing is not an aerodrome, forthwith report to a Customs-collector or Police officer and shall on demand produce to such Collector or officer the journey log book belonging to the aircraft, and shall not allow any goods to be unloaded therefrom without the consent of such Customs-collector, and no passenger or member of the personnel thereof shall leave the immediate vicinity without the consent of such Collector or Police officer. When the locality is one in which no Customs-collector or Police officer is available, the person in charge shall not allow any goods to be unloaded without his consent, and no passenger or member of the personnel shall leave the immediate vicinity without his consent. The person in charge shall make in his journey log book a full statement of the action taken, and shall forthwith report the occurrence to the Customs-collector at the nearest customs-aerodrome. If the place of landing is an aerodrome, such person shall forthwith report the arrival of the aircraft and the place whence it came to the proprietor of the aerodrome, and the proprietor of the aerodrome shall forthwith report the arrival of the aircraft to a Customs-collector, and shall not allow any goods to be unloaded therefrom, or any passenger thereof to leave the aerodrome, without the consent of such Collector.

62. Examination.—(1) The person in charge of any aircraft shall permit any Customs-collector or other officer authorised in this behalf by the Customs-collector at any time to board and examine the aircraft and any goods laden thereon.

(2) The importer or exporter of any goods shall produce such goods to the Customs-collector at the customs-aerodrome of importation or exportation, as the case may be, and permit him to examine such goods.

63. Provisions of Act VIII of 1878 to be deemed to apply to import and export.—All persons importing or exporting or concerned in importing or exporting goods or passengers into or from British India, and all persons in charge of aircraft arriving in or departing from British India, shall, so far as may be observed, comply with and be bound by the provisions of the Sea Customs Act, 1878 (VIII of 1878), as if any references in such provisions to ships or vessels and the masters or captains thereof, and to the loading and unloading of goods thereon or therefrom, included references to aircraft and the persons in charge thereof, and to the loading or unloading of goods thereon or therefrom, and as if references in such provisions to a port or quay included references to a customs-aerodrome or an examination station.

64. Exemption.—Nothing in this Part save the provisions of rule 55, shall apply in the case of aircraft—

(a) entering British India from a State in India other than a State which has been declared to be foreign territory for the purpose of section

5 of the Indian Tariff Act, 1934 (XXXII of 1934), in the case of a journey which has not commenced outside India, or

(b) departing from British India for a State in India other than a State which has been declared to be foreign territory for the purpose of section 5 of the Indian Tariff Act, 1934 (XXXII of 1934), and not bound for a place outside India.

64-A. These rules extend to the whole of British India including Berar, and every reference to British India shall be construed as including a reference to Berar.

LIST OF STATUTORY NOTIFICATIONS AFFECTING AVIATION IN INDIA.

1. *Notifications issued under the Indian Aircraft Act, the Rules framed thereunder, and the Indian Aircraft Rules 1920.*

(a) The following Notifications appoint Customs Aerodromes noted against each :—

1. Department of Industries and Labour, Notification No. T35, dated the 20th March 1929. Civil Aerodrome, Drigh Road.
2. Department of Industries and Labour, Notification No. T120, dated the 14th December 1935. Civil Aerodrome, Juhu, Bombay.
3. Department of Industries and Labour, Notification No. V52, dated the 29th March 1937. Civil Aerodrome, Dum Dum (Bengal).
4. Department of Industries and Labour, Notification No. V26, dated the 28th October 1937. Seaplane Station, Calcutta.
5. Department of Industries and Labour, Notification No. V26, dated the 28th October 1937. Seaplane Station, Karachi.
6. Department of Communications Notification No. V26, dated the 2nd December 1937. Civil Landing Ground, Trichinopoly.
7. Department of Communications Notification No. V26, dated the 2nd December 1937. Civil Aerodrome, St. Thomas Mount Madras.
8. Department of Communications Notification No. 1-A/6-39, dated the 23rd November 1939. Civil Landing Ground, Ahmedabad

(b) The following Notifications were issued for the object shown against each :—

1. Department of Industries and Labour Notifications Nos. V7 (i), V7 (ii) and V7 (iii), dated the 31st May 1937 as amended by Department of Industries and Labour Notifications Nos. V7, dated the 26th July 1937, V7, dated the 15th October 1937 and Department of Communications Notifications Nos. V7, dated the 15th June 1938, M97, dated the 12th July 1938, M97, dated the 21st July 1938,

Authorising certain officers of the Civil Aviation Directorate to exercise certain powers under Indian Aircraft Act and Indian Aircraft Rules.

M97, dated the 8th December 1938;
 M97, dated the 8th February
 1939 and M97, dated the 7th Sep-
 tember 1939.

- | | |
|--|--|
| <p>2. Directorate of Civil Aviation Notifi- cation No. T81, dated the 1st June 1938.</p> <p>3. Department of Communications Notification No. M94, dated the 22nd June 1939.</p> <p>4. Department of Communications Notification No. W-10/1, dated the 28th August 1939.</p> <p>5. Department of Communications Notification No. W-10/2, dated the 28th August 1939.</p> <p>6. Department of Communications Notification No. W-10/3, dated the 28th August 1939.</p> <p>7. Department of Communications Notification No. W-10/4, dated the 28th August 1939.</p> <p>8. Department of Communications Notification No. W-10, dated the 1st September 1939.</p> <p>9. Department of Communications Notification No. W-2(4), dated the 2nd September 1939.</p> <p>10. Department of Communications Notification No. W-10(9), dated the 11th September 1939.</p> <p>11. Department of Communications Notification No. W-10(1), dated the 29th September 1939.</p> <p>12. Department of Communications Notification No. W-10(4)/40, dated the 23rd April 1940.</p> <p>13. Department of Communications Notification No. W-10(4)/40, dated the 19th July 1940.</p> | <p>Prescribing the form and rules for maintenance of log books.</p> <p>Exemption of certain classes of air- craft from payment of landing and housing fees at Government civil Aerodromes and landing grounds in India.</p> <p>Prohibition of night flying except with a permit issued by the Direct- or of Civil Aviation.</p> <p>Height of flight in the vicinity of defended ports.</p> <p>Prohibited areas at defended ports.</p> <p>Authorising certain officers of the Civil Aviation Directorate, any Commissioned Officer of His Majesty's Forces in India, Dis- trict Magistrate, District Super- intendants or Superintendents of Police to inspect, take possession of or detain any aircraft, or part thereof or any documents apper- taining thereto.</p> <p>Making certain amendments to Notification No. W-10/3, dated the 28th August 1939—Item 5 supra.</p> <p>Prohibition of air photography.</p> <p>Specifying rules made under certain sections of Indian Aircraft Act, 1934 and certain Rules of the In- dian Aircraft Rules, 1937 for en- hanced penalties under clause (a) of Sub-section (2) of Section 5 of the Defence of India Act, 1939.</p> <p>Declaration of prohibited area round- Digboi Railway Station.</p> <p>Alterations to the prohibited areas at the defended ports of Bombay and Calcutta.</p> <p>Declaration of prohibited area at Poona.</p> |
|--|--|

II.—Notification under the Indian Carriage by Air Act, 1934.

1. Department of Communications Notification No. M95, dated the 13th September 1939. Certifying the High Contracting Parties to the Warsaw convention relating to international carriage by air.

III.—Notifications affecting Aviation issued under other enactments.

1. Kalat State Notification No. 588, dated the 28th April 1933. Prohibiting flights over certain areas in the State.
2. Kalat State Notification No. 1586, dated the 9th October 1933. Prohibiting the entry of aircraft and aircraft parts by land into certain areas of the State.
3. Clause (g) of rule 35 of the Indian Explosives Rules as inserted by the I. & L. Department Notification No. M. 296, dated the 9th November 1933. Carriage of explosives in aircraft.
4. Education, Health and Lands Department Notification No. F.32/^o 35-A, dated the 20th July 1936 (and C. B. R.'s letter No. C.-557-Cus. I/37, dated the 9th August 1937). Restrictions on import of plants by air.
5. Notification at item (9) below read with Political Department Notification No. 56-Fed. I, dated the 3rd May 1937. Prohibiting, bringing or taking of aircraft or parts of aircraft by land into or out of the leased areas in Baluchistan.
6. Notification at item (9) below read with Notification of the Government of India in the Ex. A. Department No. 28-Fed. I, dated the 3rd May 1937. Prohibiting, bringing or taking of aircraft or parts of aircraft by land into or out of the tribal areas in Baluchistan.
7. Notification of the Government of India in the Ex. A. Department No. 107-F., dated the 1st June 1939. Prohibiting, bringing or taking of aircraft, or parts of aircraft by land into or out of the tribal areas beyond the western and northern boundaries of the N. W. F. Province.
8. Notification of the Political Department No. 180-IB, dated the 3rd June 1939. Prohibiting, bringing or taking of aircraft or parts of aircraft by land into or out of Dir, Swat and Chitral States on the N. W. F.
9. Notification of the Government of Indian in the Finance Department (C.R) No. 33-Cus., dated the 3rd June 1939. Prohibiting, bringing or taking of aircraft or parts of aircraft by land into or out of British India across the land frontiers of N. W. F. P. and British Baluchistan.
10. The Gas Cylinder Rules (to be issued shortly). Declaring certain classes of gas cylinders to be explosives.
11. Department of Communications (Posts & Telegraphs) Notification No. WB/56, dated the 19th September 1939. Restrictions on the use of wireless telegraphy apparatus in aircraft.
12. Defence Co-ordination Department's Notification Nos. 515-OR/40 and 515-OR/1/40, dated the 6th July 1940 and No. 515-OR/40, dated the 17th August 1940. Declaration of certain civil aerodromes, landing grounds and sea plane stations as "protected places" and the empowering of certain officers to permit entry into these places.

The following notifications enforce the Indian Aircraft Act, 1934 in the areas noted against each.

13. Foreign and Political Department Notification No. 486aa-F., dated the 1st October 1934. Tribal areas beyond the western and northern boundaries of the N. W. F. P.
14. Political Department Notification No. 26-Fed., dated the 7th April 1937. Administered areas in Hyderabad State.
15. Political Department Notification No. 59-Fed. I., dated the 3rd May 1937. Dir, Swat and Chitral States.
16. Political Department Notification No. 293-I.B., dated the 25th November 1937. Baroda Cantt.
17. Political Department Notification No. 36-Fed. I., dated the 13th April 1937, as amended by Political Department Notification No. 165-I.B., dated the 18th May 1939. Administered areas of Central Indian States.
18. Political Department Notification No. 196-I.B., dated the 16th September 1937 as amended by Political Department Notification No. 195-I.B., dated the 13th June 1939. Administered areas in Western Indian States.

The following notifications enforce the Indian Aircraft Act, 1934, and the Indian Carriage by Air Act, 1934 in the areas noted against each :—

19. External Affairs Department Notification No. 28-Fed. I., dated the 3rd May 1937. Baluchistan Tribal areas.
20. F. & P. Department Notification No. 603-I.B., dated the 22nd November 1934. Berar.
21. Political Department Notification No. 3-Fed. I., dated the 1st April 1937. Civil and Military Station, Bangalore
22. Political Department Notification No. 73-I.B., dated the 1st April 1938. Kasumpti area (near Simla—Keon-thal State).
(The Indian Aircraft Rules, 1937 are also in force in this area.)
23. Political Department Notification No. 56-Fed. I., dated 3rd May 1937. Baluchistan Leased areas.
24. The above Acts also apply in railway lands in certain States traverse by certain railways, as notified from time to time.

The following Notifications enforce the Indian Aircraft Rules, 1937 and Part IX of Indian Aircraft Rules, 1920 in the areas noted against each.

25. Political Department Notification No. 392-I.B., dated the 8th November 1939. District of Abu.
26. Political Department Notification No. 416-I.B., dated the 30th November 1939. Civil and Military Station, Bangalore
27. Political Department Notification No. 45-I.B., dated the 29th February 1940. Railways lands in Rajputana and Central India Agencies.

Chapter IV

THE INDIAN CARRIAGE BY AIR ACT, 1934

(XX of 1934)

CHAPTER IV.**ACT No. XX OF 1934****[PASSED BY THE INDIAN LEGISLATURE]***(Received the assent of the Governor General on the 19th August, 1934)***An Act to give effect in British India to a Convention for the unification of certain rules relating to international carriage by air**

WHEREAS a Convention for the unification of certain rules relating to international carriage by air (hereinafter referred to as the Convention) was, on the 12th day of October, 1929, signed at Warsaw;

AND WHEREAS it is expedient that British India should accede to the Convention and should make provision for giving effect to the said Convention in British India;

AND WHEREAS it is also expedient to make provision for applying the rules contained in the Convention (subject to exceptions, adaptations and modifications) to carriage by air in British India which is not international carriage within the meaning of the Convention;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Indian Carriage by Air Act, 1934.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

(3) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

2. Application of the Convention to British India.—(1) The rules contained in the First Schedule, being the provisions of the Convention relating to the rights and liabilities of carriers, passengers, consignors, consignees and other persons, shall, subject to the provisions of this Act, have the force of law in British India in relation to any carriage by air to which those rules apply, irrespective of the nationality of the aircraft performing the carriage.

(2) The Governor General in Council may, by notification in the Gazette of India, certify who are the High Contracting Parties to the Convention, in respect of what territories they are parties, and to what extent they have availed themselves of the Additional Protocol to the Convention, and any such notification shall be conclusive evidence of the matters certified therein.

(3) Any reference in the First Schedule to the territory of any High Contracting Party to the Convention shall be construed as a reference to all the territories in respect of which he is a party.

(4) Notwithstanding anything contained in the Indian Fatal Accidents Act, 1855 (XIII of 1855), or any other enactment or rule of law in force in any part of British India, the rules contained in the First Schedule shall, in all cases to which those rules apply, determine the liability of a carrier in respect of the death of a passenger, and the rules contained in the Second Schedule shall determine the persons by whom and for whose benefit and the manner in which such liability may be enforced.

(5) Any sum in francs mentioned in rule 22 of the First Schedule shall, for the purpose of any action against a carrier, be converted into rupees at the rate of exchange prevailing on the date on which the amount of damages to be paid by the carrier is ascertained by the Court.

3. Provisions regarding suits against High Contracting Parties who undertake carriage by air.—(1) Every High Contracting Party to the Convention who has not availed himself of the provisions of the Additional Protocol thereto shall, for the purposes of any suit brought in a Court in British India in accordance with the provisions of rule 28 of the First Schedule to enforce a claim in respect of carriage undertaken by him, be deemed to have submitted to the jurisdiction of that Court and to be a person for the purposes of the Code of Civil Procedure, 1908 (V of 1908).

(2) The High Court may make rules of procedure providing for all matters which may be expedient to enable such suits to be instituted and carried on.

(3) Nothing in this section shall authorise any Court to attach or sell any property of a High Contracting Party to the Convention.

4. Application of Act to carriage by air which is not international.—The Governor General in Council may, by notification in the Gazette of India, apply the rules contained in the First Schedule and any provision of section 2 to such carriage by air, not being international carriage by air as defined in the First Schedule, as may be specified in the notification, subject however to such exceptions, adaptations and modifications, if any, as may be so specified.

FIRST SCHEDULE

(See section 2)

RULES.

CHAPTER I

SCOPE—DEFINITIONS

1. (1) These rules apply to all international carriage of persons, luggage or goods performed by aircraft for reward. They apply also to such carriage when performed gratuitously by an air transport undertaking.

(2) In these rules "High Contracting Party" means a High Contracting Party to the Convention.

(3) For the purposes of these rules the expression "international carriage" means any carriage in which, according to the contract made by the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a transhipment, are situated either within the territories of two High Contracting Parties, or within the territory of a single High Contracting Party, if there is an agreed stopping place within a territory subject to the sovereignty, suzerainty, mandate or authority of another Power, even though that Power is not a party to the Convention. A carriage without such an agreed stopping place between territories subject to the sovereignty, suzerainty, mandate or authority of the same High Contracting Party is not deemed to be international for the purposes of these rules.

(4) A carriage to be performed by several successive air carriers is deemed, for the purposes of these rules, to be one undivided carriage, if it has been regarded by the parties as a single operation, whether it has been agreed upon under the form of a single contract or of a series of contracts, and it does not lose its international character merely because one contract or a series of contracts is to be performed entirely within a territory subject to the sovereignty, suzerainty, mandate or authority of the same High Contracting Party.

2. (1) These rules apply to carriage performed by the State or by legally constituted public bodies provided it falls within the conditions laid down in rule 1.

(2) These rules do not apply to carriage performed under the terms of any international postal Convention.

CHAPTER II

DOCUMENTS OF CARRIAGE

Part I.—Passenger ticket

3. (1) For the carriage of passengers the carrier must deliver a passenger ticket which shall contain the following particulars:—

- (a) the place and date of issue;
- (b) the place of departure, and of destination;

(c) the agreed stopping places, provided that the carrier may reserve the right to alter the stopping places in case of necessity, and that if he exercises that right, the alteration shall not have the effect of depriving the carriage of its international character;

(d) the name and address of the carrier or carriers;

(e) a statement that the carriage is subject to the rules relating to liability contained in this Schedule.

(2) The absence, irregularity or loss of the passenger ticket does not affect the existence or the validity of the contract of carriage, which shall none the less be subject to these rules. Nevertheless, if the carrier accepts a passenger without a passenger ticket having been delivered he shall not be entitled to avail himself of those provisions of this Schedule which exclude or limit his liability.

Part II.—Luggage ticket

4. (1) For the carriage of luggage, other than small personal objects of which the passenger takes charge himself, the carrier must deliver a luggage ticket.

(2) The luggage ticket shall be made out in duplicate, one part for the passenger and the other part for the carrier.

(3) The luggage ticket shall contain the following particulars:—

(a) the place and date of issue;

(b) the place of departure and of destination;

(c) the name and address of the carrier or carriers;

(d) the number of the passenger ticket;

(e) a statement that delivery of the luggage will be made to the bearer of the luggage ticket;

(f) the number and weight of the packages;

(g) the amount of the value declared in accordance with rule 22 (2);

(h) a statement that the carriage is subject to the rules relating to liability contained in this Schedule.

(4) The absence, irregularity or loss of the luggage ticket does not affect the existence or the validity of the contract of carriage, which shall none the less be subject to these rules. Nevertheless, if the carrier accepts luggage without a luggage ticket having been delivered, or if the luggage ticket does not contain the particulars set out at (d), (f) and (h) of sub-rule (3), the carrier shall not be entitled to avail himself of those provisions of this Schedule which exclude or limit his liability.

Part III.—Air consignment note

5. (1) Every carrier of goods has the right to require the consignor to make out and hand over to him a document called an "air consignment note"; every consignor has the right to require the carrier to accept this document.

(2) The absence, irregularity or loss of this document does not affect the existence or the validity of the contract of carriage which shall, subject to the provisions of rule 9, be none the less governed by these rules.

6. (1) The air consignment note shall be made out by the consignor in three original parts and be handed over with the goods.

(2) The first part shall be marked "for the carrier", and shall be signed by the consignor. The second part shall be marked "for the consignee"; it shall be signed by the consignor and by the carrier and shall accompany the goods. The third part shall be signed by the carrier and handed by him to the consignor after the goods have been accepted.

(3) The carrier shall sign an acceptance of the goods.

(4) The signature of the carrier may be stamped; that of the consignor may be printed or stamped.

(5) If, at the request of the consignor, the carrier makes out the air consignment note, he shall be deemed, subject to proof to the contrary, to have done so on behalf of the consignor.

7. The carrier of goods has the right to require the consignor to make out separate consignment notes when there is more than one package.

8. The air consignment note shall contain the following particulars:—

(a) the place and date of its execution;

(b) the place of departure and of destination;

(c) the agreed stopping places, provided that the carrier may reserve the right to alter the stopping places in case of necessity, and that if he exercises that right the alteration shall not have the effect of depriving the carriage of its international character;

(d) the name and address of the consignor;

(e) the name and address of the first carrier;

(f) the name and address of the consignee, if the case so requires;

(g) the nature of the goods;

(h) the number of the packages, the method of packing and the particular marks or numbers upon them;

- (i) the weight, the quantity and the volume or dimensions of the goods;
- (j) the apparent condition of the goods and of the packing;
- (k) the freight, if it has been agreed upon, the date and place of payment, and the person who is to pay it;
- (l) if the goods are sent for payment on delivery, the price of the goods, and, if the case so requires, the amount of the expenses incurred;
- (m) the amount of the value declared in accordance with rule 22 (2);
- (n) the number of parts of the air consignment note;
- (o) the documents handed to the carrier to accompany the air consignment note;
- (p) the time fixed for the completion of the carriage and a brief note of the route to be followed, if these matters have been agreed upon;
- (q) a statement that the carriage is subject to the rules relating to liability contained in this Schedule.

9. If the carrier accepts goods without an air consignment note having been made out, or if the air consignment note does not contain all the particulars set out in rule 8 (a) to (i) inclusive and (q), the carrier shall not be entitled to avail himself of the provisions of this Schedule which exclude or limit his liability.

10. (1) The consignor is responsible for the correctness of the particulars and statements relating to the goods which he inserts in the air consignment note.

(2) The statements in the air consignment note relating to the weight, dimensions and person by reason of the irregularity, incorrectness or incompleteness of the said particulars and statements.

11. (1) The air consignment note is *prima facie* evidence of the conclusion of the contract, of the receipt of the goods and of the conditions of carriage.

(2) The statements in the air consignment note relating to the weight, dimensions and packing of the goods, as well as those relating to the number of packages, are *prima facie* evidence of the facts stated; those relating to the quantity, volume and condition of the goods do not constitute evidence against the carrier except so far as they both have been, and are stated in the air consignment note to have been, checked by him in the presence of the consignor, or relate to the apparent condition of the goods.

12. (1) Subject to his liability to carry out all his obligations under the contract of carriage, the consignor has the right to dispose of the goods by withdrawing them at the aerodrome of departure or destination, or by stopping them in the course of the journey on any landing, or, by calling for them to be delivered at the place of destination or in the course of the journey to a person other than the consignee named in the air consignment note, or by requiring them to be returned to the aerodrome of departure. He must not exercise this right of disposition in such a way as to prejudice the carrier or other consignors and he must repay any expenses occasioned by the exercise of this right.

(2) If it is impossible to carry out the orders of the consignor the carrier must so inform him forthwith.

(3) If the carrier obeys the orders of the consignor for the disposition of the goods without requiring the production of the part of the air consignment note delivered to the latter, he will be liable, without prejudice to his right of recovery from the consignor, for any damage which may be caused thereby to any person who is lawfully in possession of that part of the air consignment note.

(4) The right conferred on the consignor ceases at the moment when that of the consignee begins in accordance with rule 13. Nevertheless, if the consignee declines to accept the consignment note or the goods, or if he cannot be communicated with, the consignor resumes his right of disposition.

13. (1) Except in the circumstances set out in rule 12, the consignee is entitled, on arrival of the goods at the place of destination, to require the carrier to hand over to him the air consignment note and to deliver the goods to him, on payment of the charges due and on complying with the conditions of carriage set out in the air consignment note.

(2) Unless it is otherwise agreed, it is the duty of the carrier to give notice to the consignee as soon as the goods arrive.

(3) If the carrier admits the loss of the goods, or if the goods have not arrived at the expiration of seven days after the date on which they ought to have arrived, the consignee is entitled to put into force against the carrier the rights which flow from the contract of carriage.

14. The consignor and the consignee can respectively enforce all the rights given them by rules 12 and 13, each in his own name, whether he is acting in his own interest or in the interest of another, provided that he carries out the obligations imposed by the contract.

15. (1) Rules 12, 13 and 14 do not affect either the relations of the consignor or the consignee with each other or the mutual relations of third parties whose rights are derived either from the consignor or from the consignee.

(2) The provisions of rules 12, 13 and 14 can only be varied by express provision in the air consignment note.

16. (1) The consignor must furnish such information and attach to the air consignment note such documents as are necessary to meet the formalities of customs, octroi or police before the goods can be delivered to the consignee. The consignor is liable to the carrier for any damage occasioned by the absence, insufficiency or irregularity of any such information or documents, unless the damage is due to the fault of the carrier or his agents.

(2) The carrier is under no obligation to enquire into the correctness or sufficiency of such information or documents.

CHAPTER III.

LIABILITY OF THE CARRIER

17. The carrier is liable for damage sustained in the event of the death or wounding of a passenger or any other bodily injury suffered by a passenger, if the accident which caused the damage so sustained took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

18. (1) The carrier is liable for damage sustained in the event of the destruction or loss of, or of damage to, any registered luggage or any goods, if the occurrence which caused the damage so sustained took place during the carriage by air.

(2) The carriage by air within the meaning of the preceding paragraph comprises the period during which the luggage or goods are in charge of the carrier, whether in an aerodrome or on board an aircraft, or, in the case of a landing outside an aerodrome, in any place whatsoever.

(3) The period of the carriage by air does not extend to any carriage by land, by sea or by river performed outside an aerodrome. If, however, such a carriage takes place in the performance of a contract for carriage by air, for the purpose of loading, delivery or transhipment, any damage is presumed, subject to proof to the contrary, to have been the result of an event which took place during the carriage by air.

19. The carrier is liable for damage occasioned by delay in the carriage by air of passengers, luggage or goods.

20. (1) The carrier is not liable if he proves that he and his agents have taken all necessary measures to avoid the damage or that it was impossible for him or them to take such measures.

(2) In the carriage of goods and luggage the carrier is not liable if he proves that the damage was occasioned by negligent pilotage or negligence in the handling of the aircraft or in navigation and that, in all other respects, he and his agents have taken all necessary measures to avoid the damage.

21. If the carrier proves that the damage was caused by or contributed to by the negligence of the injured person the Court may exonerate the carrier wholly or partly from his liability.

22. (1) In the carriage of passengers the liability of the carrier for each passenger is limited to the sum of 125,000 francs. Where damages may be awarded in the form of periodical payments, the equivalent capital value of the said payments shall not exceed 125,000 francs. Nevertheless, by special contract the carrier and the passenger may agree to a higher limit of liability.

(2) In the carriage of registered luggage and of goods, the liability of the carrier is limited to a sum of 250 francs per kilogram, unless the consignor has made, at the time when the package was handed over to the carrier, a special declaration of the value at delivery and has paid a supplementary sum if the case so requires. In that case the carrier will be liable to pay a sum not exceeding the declared sum, unless he proves that that sum is greater than the actual value to the consignor at delivery.

(3) As regards objects of which the passenger takes charge himself the liability of the carrier is limited to 5,000 francs per passenger.

(4) The sums mentioned in this rule shall be deemed to refer to the French franc consisting of 65½ milligrams gold of millesimal fineness 900.

23. Any provision tending to relieve the carrier of liability or to fix a lower limit than that which is laid down in these rules shall be null and void, but the nullity of any such provision does not involve the nullity of the whole contract, which shall remain subject to the provisions of this Schedule.

24. (1) In the case covered by rules 18 and 19 any action for damages, however founded, can only be brought subject to the conditions and limits set out in this Schedule.

(2) In the cases covered by rule 17 the provisions of sub-rule (1) also apply, without prejudice to the questions as to who are the persons who have the right to bring suit and what are their respective rights.

25. (1) The carrier shall not be entitled to avail himself of the provisions of this Schedule which exclude or limit his liability, if the damage is caused by his wilful misconduct or by such default on his part as is in the opinion of the Court equivalent to wilful misconduct.

(2) Similarly the carrier shall not be entitled to avail himself of the said provisions, if the damage is caused as aforesaid by any agent of the carrier acting within the scope of his employment.

26. (1) Receipt by the person entitled to delivery of luggage or goods without complaint is *prima facie* evidence that the same have been delivered in good condition and in accordance with the document of carriage.

(2) In the case of damage, the person entitled to delivery must complain to the carrier forthwith after the discovery of the damage, and, at the latest, within three days from the date of receipt in the case of luggage and seven days from the date of receipt on the case of goods. In the case of delay the complaint must be made at the latest within fourteen days from the date on which the luggage or goods have been placed at his disposal.

(3) Every complaint must be made in writing upon the document of carriage or by separate notice in writing despatched within the times aforesaid.

(4) Failing complaint within the times aforesaid, no action shall lie against the carrier, save in the case of fraud on his part.

27. In the case of the death of the person liable, an action for damage lies in accordance with these rules against those legally representing his estate.

28. An action for damages must be brought at the option of the plaintiff, either before the Court having jurisdiction where the carrier is ordinarily resident, or has his principal place of business, or has an establishment by which the contract has been made or before the Court having jurisdiction at the place of destination.

29. The right of damages shall be extinguished if an action is not brought within two years, reckoned from the date of arrival at the destination, or from the date on which the aircraft ought to have arrived, or from the date on which the carriage stopped.

30. (1) In the case of carriage to be performed by various successive carriers and falling within the definition set out in sub-rule (4) of rule 1, each carrier who accepts passengers, luggage or goods is subjected to the rules set out in this Schedule, and is deemed to be one of the contracting parties to the contract of carriage in so far as the contract deals with that part of the carriage which is performed under his supervision.

(2) In the case of carriage of this nature, the passenger or his representative can take action only against the carrier who performed the carriage during which the accident or the delay occurred, save in the case where, by express agreement, the first carrier has assumed liability for the whole journey.

(3) As regards luggage or goods, the passenger or consignor will have a right of action against the first carrier, and the passenger or consignee who is entitled to delivery will have a right of action against the last carrier, and further, each may take action against the carrier who performed the carriage during which the destruction, loss, damage or delay took place. These carriers will be jointly and severally liable to the passenger or to the consignor or consignee.

CHAPTER IV

PROVISIONS RELATING TO COMBINED CARRIAGE

31. (1) In the case of combined carriage performed partly by air and partly by any other mode of carriage, the provisions of this Schedule apply only to the carriage by air, provided that the carriage by air falls within the terms of rule 1.

(2) Nothing in this Schedule shall prevent the parties in the case of combined carriage from inserting in the document of air carriage conditions relating to other modes of carriage, provided that the provisions of this Schedule are observed as regards the carriage by air.

CHAPTER V

GENERAL AND FINAL PROVISIONS

32. Any clause contained in the contract and all special agreements entered into before the damage occurred by which the parties purport to infringe the rules laid down by this Schedule, whether by deciding the law to be applied, or by altering the rules as to jurisdiction, shall be null and void. Nevertheless for the carriage of goods arbitration clauses are allowed, subject to these rules, if the arbitration is to take place in the territory of one of the High Contracting Parties within one of the jurisdictions referred to in rule 28.

33. Nothing contained in this Schedule shall prevent the carrier either from refusing to enter into any contract of carriage, or from making regulations which do not conflict with the provisions of this Schedule.

34. This Schedule does not apply to international carriage by air performed by way of experimental trial by air navigation undertakings with the view to the establishment of a regular line of air navigation, nor does it apply to carriage performed in extraordinary circumstances outside the normal scope of an air carrier's business.

35. The expression "days" when used in these rules means current days, not working days.

36. When a High Contracting Party has declared at the time of ratification or of accession to the Convention that the first paragraph of Article 2 of the Convention shall not apply to international carriage by air performed directly by the State, its colonies, protectorates or mandated territories or by any other territory under its sovereignty, suzerainty or authority, these rules shall not apply to international carriage by air so performed.

SECOND SCHEDULE

(See section 2)

PROVISIONS AS TO LIABILITY OF CARRIERS IN THE EVENT OF THE DEATH OF A PASSENGER.

1. The liability shall be enforceable for the benefit of such of the members of the passenger's family as sustained damage by reason of his death.

In this rule the expression "member of a family" means wife or husband, parent, step-parent, grandparent, brother, sister, half-brother, half-sister, child, step-child, grandchild:

Provided that, in deducing any such relationship as aforesaid any illegitimate person and any adopted person shall be treated as being, or as having been, the legitimate child of his mother and reputed father or, as the case may be, of his adopters.

2. An action to enforce the liability may be brought by the personal representative of the passenger or by any person for whose benefit the liability is under the last preceding rule enforceable, but only one action shall be brought in British India in respect of the death of any one passenger, and every such action by whomsoever brought shall be for the benefit of all such persons so entitled as aforesaid as either are domiciled in British India, or, not being domiciled there, express a desire to take the benefit of the action.

3. Subject to the provisions of the next succeeding rule the amount recovered in any such action, after deducting any costs not recovered from the defendant, shall be divided between the persons entitled in such proportions as the Court may direct.

4. The Court before which any such action is brought may at any stage of the proceedings make any such order as appears to the Court to be just and equitable in view of the provisions of the First Schedule to this Act limiting the liability of a carrier and of any proceedings which have been, or are likely to be, commenced outside British India in respect of the death of the passenger in question.

Chapter V.

THE INDIAN AIRCRAFT (PUBLIC HEALTH) RULES, 1940

[Corrected upto June 1945]

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CHAPTER V**DEPARTMENT OF EDUCATION, HEALTH AND LANDS****NOTIFICATIONS****(PUBLIC HEALTH)***Simla, the 5th June 1940*

No. F. 13-32 (1)/36-G.—In exercise of the powers conferred by section 8A of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to make the following rules, namely:—

THE INDIAN AIRCRAFT (PUBLIC HEALTH) RULES, 1940**PART I****INTRODUCTORY**

1. These Rules may be called the Indian Aircraft (Public Health) Rules, 1940.

2. In these Rules, unless there is anything repugnant in the subject or context,—

(1) "Commander" means any person for the time being in charge or in command of an aircraft;

(2) "crew" includes any person having duties on board in connection with the flying, or the safety of the flight, of an aircraft, or employed on board in any way in the service of the aircraft, the passengers or the cargo;

(3) "customs aerodrome" means an aerodrome declared under rule 53 of the Indian Aircraft Rules, 1920, to be a customs aerodrome;

(4) "day" means a period of twentyfour hours:

(5) "Health Officer" means any person appointed by the Central Government to be the Health Officer of an aerodrome, and includes an Additional or Assistant Health Officer appointed by the Central Government to perform the functions of a Health Officer;

(6) "infected aircraft" means an aircraft which under rule 9, 14, 17, 20, 23, or 26 is regarded as an aircraft infected with an infectious disease;

(7) "infected area" in relation to an infectious disease means any area outside India, declared by the Central Government, by notification in the official Gazette, to be infected with that disease;

(8) "infectious disease" means yellow fever, plague, cholera, typhus or small-pox and includes any other disease declared by the Central Government by notification in the official Gazette to be an infectious disease;

(9) "isolation" means the segregation of any person suffering from an infectious disease in such a manner as to ensure that such persons will not convey infection to other persons;

(10) "observation" means the segregation of any person suspected of suffering from an infectious disease for the purpose of ascertaining whether or not he is suffering from an infectious disease;

(11) "period of incubation" means (a) in respect of an infectious disease mentioned below, the period specified against it:—

| | | | | | | |
|--------------|---|---|---|---|---|---------|
| Yellow fever | . | . | . | . | . | 9 days |
| Plague | . | . | . | . | . | 6 days |
| Cholera | . | . | . | . | . | 5 days |
| Typhus | . | . | . | . | . | 12 days |
| Small-pox | . | . | . | . | . | 14 days |

and (b) in respect of any other infectious disease, such period as may be declared by the Central Government by notification in the official Gazette to be the period of incubation of that disease;

(12) a person is said to be under "surveillance" when, being suspected of infection from an infectious disease, he is not segregated but permitted to continue his journey in the ordinary course, and the authorities of the several places whither he is bound are given prior information of his coming;

(13) "suspected aircraft" means an aircraft which under rule 14, 17, 20, 23 or 26 is regarded as an aircraft suspected of infection from an infectious disease.

PART II

AIRCRAFT ARRIVING

General Provisions

3. (1) The Commander of an aircraft, which is on its way to British India from any place outside India, shall send to the officer in charge of the aerodrome where he proposes to land in British India, a health report stating—

(a) whether any person on board the aircraft is suffering from any illness and, if so, what that illness is, or is suspected to be, and

(b) whether at any time during the voyage there has occurred on board any case, or suspected case, of an infectious disease, and if so, what that case was.

(2) The report referred to in sub-rule (1) shall be sent—

(a) if the aircraft is not equipped with wireless, by means of a cablegram from the last place of landing before entering British India, and

(b) if the aircraft is equipped with wireless, by means of a wireless message, when it is not less than two hours out from the aerodrome in British India, where it is proposed to land the aircraft.

4. The Central Government may, by notification in the official Gazette, direct that aircraft infected, or suspected to be infected, with a specified infectious disease shall, on entering British India from a place outside India, land only at such aerodrome or aerodromes as may be specified in the notification.

5. (1) When an aircraft infected, or suspected to be infected, with an infectious disease enters British India from a place outside India and lands elsewhere than at an aerodrome specified under rule 4, or, where no such aerodrome has been specified, lands elsewhere than at a customs aerodrome, it shall proceed as soon as possible, without discharging any passenger, crew or cargo, to an aerodrome specified under rule 4, or, as the case may be, to a customs aerodrome.

(2) If it is impracticable for the aircraft to comply with the provisions of sub-rule (1), the Commander shall forthwith notify the Health Officer of the nearest customs aerodrome, and also the nearest Magistrate, officer in charge of a police station or Government medical officer, who shall take such measures to prevent the spread of infection as he may consider necessary or expedient. The Commander shall prevent any cargo being removed from, or any passenger or member of the crew leaving the vicinity of, the aircraft, except to such extent as may be necessary to conform to, or facilitate the measures taken under, this sub-rule. The Commander shall record the circumstances of the landing in the journey log book and shall, on his arrival at an aerodrome specified under rule 4, or, as the case may be, a customs aerodrome, report the relevant facts to the Health Officer of that aerodrome.

Chap. V] THE INDIAN AIRCRAFT (PUBLIC HEALTH) RULES, 1940

6. The Commander of an aircraft coming from any place outside India shall enter or cause to be entered in the journey log book, or, in the case of entries relating to passengers, in the passenger list, information concerning the following matters, namely:—

(a) any incidents relevant to public health which have occurred on the aircraft in the course of its voyage;

(b) any sanitary measures undergone by the aircraft before departure and at places of call;

(c) information concerning the occurrence of any infectious disease at, or in the vicinity of, the place of departure and any place of call of the aircraft;

(d) information as to the place of origin of, and any sanitary measures undergone by, the passengers and crew.

7. When an infected or suspected aircraft, coming from a place outside India, arrives at a customs aerodrome, the Health Officer may, until such time as the appropriate measures prescribed in the case of such aircraft have been taken, require that the passengers and crew of the aircraft shall not go beyond such limits within the aerodrome as may be specified by him.

8. The Health Officer of an aerodrome may, whenever he considers it desirable, inspect any aircraft and its passengers and crew on its arrival at the aerodrome, and may require the Commander to produce for examination the journey log book and other relevant papers of the aircraft.

Special provisions relating to yellow fever

9. An aircraft shall be regarded as infected with yellow fever—

(i) if there is a case of yellow fever on board, or

(ii) if there has been on board a case of yellow fever, and subsequent to the occurrence of that case all the measures specified in clause (a) of rule 13 have not been taken before arriving in India, or

(iii) if it has started from, or alighted in any yellow fever infected area and, subsequent to such starting or alighting, has not obtained a certificate of disinsectisation from the Director-General of the Egyptian Quarantine Administration, or from the Director, Medical Services, Anglo-Egyptian Sudan, or from an officer authorised by either of those Directors in this behalf, or from such officer, or body as may be approved from time to time by the Central Government for this purpose, stating that the aircraft, after leaving or alighting in the yellow fever infected area and before arriving in India, has been disinsectised in accordance with the procedure prescribed in the Schedule to these Rules, or

(iv) if there is on board any person who within nine days of arrival in India has been in a yellow fever infected area:

Provided that an aircraft shall not be regarded as infected under clause (iv)—

(a) if the person referred to has only alighted in a yellow fever infected area at a non-infected anti-amaryl aerodrome and is in possession of a certificate from the Health Officer of that aerodrome stating that during his stay he either remained within the anti-amaryl aerodrome, or, if he went outside it, he did so under such protected conditions as would make it impossible for him to be bitten by mosquitoes, or

(b) if the said person has been protected against the disease by a previous attack or by satisfactory inoculation performed—

(1) not less than ten days before his arrival in the yellow fever infected area or not less than 19 days before his arrival in India, and

(2) not more than the prescribed period before departure from the yellow fever infected area.

Explanation No. 1.—In clause (a) of the proviso "anti-amaryl aerodrome" means an aerodrome in a yellow fever infected area declared by the Central Government, by notification in the official Gazette, to be an anti-amaryl aerodrome. No such declaration will be made unless the aerodrome is established and equipped in accordance with the provisions of Article 38 of the International Sanitary Convention for Aerial Navigation, 1938.

Explanation No. 2.—The prescribed period referred to in clause (b) (2) of the proviso shall be—

(a) in the case of a person of ten years of age and under, two years,
 (b) in the case of a person over ten years of age who has been inoculated in the United States of America with vaccine manufactured at the Rockefeller Foundation Laboratory or the United States Public Health Laboratory, or in the United Kingdom, on or after the 1st June 1943 with Wellcome Bureau Vaccine, or in the Middle East Command with Rockefeller Foundation Vaccine, or in India on or after the 22nd February 1944, four years,

(c) in the case of a person over ten years of age who has been inoculated otherwise than as described in (b) above, two years:

Provided further that an aircraft shall not be regarded as infected under clause (iv) if the said person was already inoculated not less than 10 days before his arrival in the yellow fever infected area or not less than 19 days before his arrival in India and was re-inoculated at any time within the period of 4 years or 2 years, as the case may be, specified in clause (b)(2) of the preceding proviso even though the periods of 10 days or 19 days specified in clause (b) (i) of the said proviso have not expired after the date of re-inoculation.

10. (1) Where an aircraft, having started from, or during the course of the voyage alighted in, a yellow fever infected area, is on its way to British India, the report referred to in sub-rule (1) of rule 3 shall also state—

(a) the date of departure of the aircraft from the yellow fever infected area, and

(b) whether the aircraft has been disinsectised since leaving the yellow fever infected area and, if so, the place at which, and the authority by which, the disinsectisation was performed.

(2) Where an aircraft has on board any persons coming from a yellow fever infected area, the report referred to in sub-rule (1) of rule 3 shall also state the number of such persons, the dates of their respective departure from such area, and the dates on which each of such persons has been inoculated against yellow fever.

11. No person shall bring into British India an aircraft infected with yellow fever.

12. Any aircraft which being infected with yellow fever, attempts to enter British India may be refused entry.

13. (1) If any aircraft enters British India in contravention of rule 11 or rule 12, then, without prejudice to any other proceedings that may be taken against any person on board, the aircraft and all persons and cargo thereon shall be subjected to the following measures:—

(a) If the aircraft is infected in the manner specified in clause (i) of rule 9,—

(i) the aircraft and cargo shall be disinsectised,

(ii) all persons suffering from yellow fever shall be disembarked and isolated for such period as the Health Officer may consider necessary,

(iii) all persons on board shall be medically examined either before disembarkation or under such arrangements as may be made by the

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Health Officer of the aerodrome to reduce to a minimum the risk of spread of infection, and

(iv) any persons suspected to be suffering from yellow fever shall be disembarked and placed under observation for such period as the Health Officer may consider necessary.

(b) If the aircraft is infected in the manner specified in clause (ii) or clause (iii) of rule 9, the measures specified in sub-clauses (i) and (iii) of clause (a) shall be taken, and in addition, all persons on board, other than persons who have been protected against the disease shall be disembarked and placed under observation for a period not exceeding nine days from the time of arrival of the aircraft.

(c) if the aircraft is infected in the manner specified in clause (iv) of rule 9, the measures specified in sub-clauses (i), (iii) and (iv) of clause (a) shall be taken, and in addition, all persons on board who within nine days of arrival of the aircraft have been in a yellow fever infected area, other than persons who have been protected against the disease in the manner specified in clause (b) of the proviso to rule 9 shall be disembarked and placed under observation for a period not exceeding nine days reckoned from the time at which they departed from such area.

(2) All isolation and observation prescribed by sub-rule (1) shall be carried out in such manner as to preclude the access of mosquitoes to the persons under isolation or observation.

Special provisions relating to Plague

14. (1) An aircraft shall be regarded as infected with plague—²

(i) if there is a case of plague on board, or

(ii) if there has been a case of plague on board and subsequent to the occurrence of that case all the measures prescribed in rule 15 have not been taken, or

(iii) if plague-infected rats are found on board.

(2) An aircraft shall be regarded as suspected of plague infection—

(i) if there is on board any person who within six days of arrival has been in contact with a case of plague or otherwise exposed to plague infection,

(ii) if there is on board any person who within six days of his arrival has been in a plague infected area, or

(iii) if the Health Officer has reason to suspect the presence on board of plague infected rats.

15. On the arrival of an aircraft infected with plague—

(1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

(2) all persons suffering from plague shall be disembarked and isolated

(3) all persons suspected to be suffering from plague shall be disembarked and placed under observation for such period as the Health Officer may consider necessary

(4) persons on board who have been in contact with a case of plague or who, in the opinion of the Health Officer, have otherwise been exposed to infection shall be placed under surveillance for a period not exceeding six days from the time of arrival of the aircraft;

(5) bedding which has been used, soiled linen, wearing apparel and other articles which, in the opinion of the Health Officer, are infected shall be disinsectised and, if necessary, disinfected;

(6) those parts of the aircraft which have been occupied by persons suffering from plague or which, in the opinion of the Health Officer, are infected, shall be disinsectised and, if necessary, disinfected;

(7) if the Health Officer has reason to believe that there are rats on board the aircraft, he shall deratise the aircraft;

(8) any merchandise which it is proposed to discharge and which, in the opinion of the Health Officer, may harbour rats or fleas, may be deratised or, as the case may be, disinsectised;

(9) any unloading shall be carried out under the control of the Health Officer, who shall take all measures which in his opinion are necessary to prevent the infection of the staff engaged on this work, and may, for that purpose, subject the staff to surveillance for a period not exceeding six days from the time they have ceased to work at the unloading of the aircraft.

16. On the arrival of an aircraft suspected of plague infection,—

(1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

(2) persons who have been in contact with a case of plague, or who, in the opinion of the Health Officer, have been exposed to infection, shall if not already under surveillance, be placed under surveillance for a period not exceeding six days from the time of such contact or such exposure to infection; and

(3) all or any of the measures specified in clause (5) to (9) of rule 15 and not already taken, may be taken at the discretion of the Health Officer.

Special provisions relating to Cholera

17. (1) An aircraft shall be regarded as infected with cholera—

(i) if there is a case of cholera on board, or

(ii) if there has been a case of cholera on board and subsequent to the occurrence of that case all the measures prescribed in rule 18 have not been taken.

(2) An aircraft shall be regarded as suspected of cholera infection,—

(i) if there is on board any person, who within five days of arrival has been in contact with a case of cholera or otherwise exposed to cholera infection,

(ii) if there is on board any person who within five days of his arrival has been in a cholera infected area, or

(iii) if there are on board any fresh foods from a cholera infected area.

18. On the arrival of an aircraft infected with cholera—

(1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

(2) all persons suffering from cholera shall be disembarked and isolated for such period as the Health Officer may consider necessary;

(3) all persons suspected to be suffering from cholera shall be disembarked and placed under observation for such period as the Health Officer may consider necessary;

(4) the members of the crew and the passengers shall be placed under surveillance for a period not exceeding five days reckoned from the time of arrival of the aircraft, provided that persons satisfying the Health Officer that they have been protected against cholera by inoculation effected not more than six months, and not less than six days, prior to the time of arrival, may be exempted from such surveillance;

(5) bedding which has been used, soiled linen, wearing apparel and other articles including foodstuffs which, in the opinion of the Health Officer, are infected shall be disinfected, provided that in special circumstances the Health Officer may, for reasons to be recorded in writing, order the destruction of foodstuffs which in his opinion are infected;

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(6) those parts of the aircraft which have been occupied by persons suffering from cholera or which, in the opinion of the Health Officer, are infected shall be disinfected;

(7) if, in the opinion of the Health Officer, the drinking water stored on board is infected, he shall cause it to be emptied out after it has been disinfected and to be replaced, after disinfection of the tanks and filters, by a supply of wholesome drinking water;

(8) the Health Officer may require human dejecta and the waste water of the aircraft to be disinfected before they are discharged from the aircraft;

(9) any unloading shall be carried out under the control of the Health Officer, who shall take all measures which, in his opinion, are necessary to prevent the infection of the staff engaged on this work, and may for that purpose subject the staff to surveillance for a period not exceeding five days from the time they have ceased to work at the unloading of the aircraft.

19. On the arrival of an aircraft suspected of cholera infection—

(1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

(2) persons who within five days of arrival have been exposed to infection, whether by virtue of having been in an infected area or having been in contact with a case of cholera, shall be subjected to surveillance for a period not exceeding five days from the time of the last exposure to infection:

Provided that persons satisfying the Health Officer that they have been protected against cholera by inoculation effected not more than six months and not less than six days prior to the date of arrival may be exempted from such surveillance; and

(3) all or any of the measures specified in clauses (5) to (9) of rule 18 and not already taken, may be taken at the discretion of the Health Officer.

Special provisions relating to Typhus

20. (1) An aircraft shall be regarded as infected with typhus—

(i) if there is a case of typhus on board, or

(ii) if there has been a case of typhus on board and subsequent to the occurrence of that case all the measures prescribed in rule 21 have not been taken.

(2) An aircraft shall be regarded as suspected of typhus infection—

(i) if there is on board any person who within twelve days of arrival has been in contact with a case of typhus or otherwise exposed to typhus infection, or

(ii) if there is on board any person who within twelve days of his arrival has been in an area where typhus was epidemic at the time of his leaving that area.

Explanation.—Typhus shall be regarded as being epidemic in an area in respect of which a notification to that effect has been issued by the Central Government in the official Gazette.

21. On the arrival of an aircraft infected with typhus,—

(1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

(2) all persons suffering from typhus shall be disembarked, isolated for such period as the Health Officer may consider necessary, and deloused;

(3) all persons suspected by the Health Officer to be suffering from typhus shall be disembarked, placed, under observation for such period as the Health Officer may consider necessary, and deloused;

(4) other persons suspected by the Health Officer to harbour lice or to have been exposed to infection shall be deloused and may be subjected to surveillance for a period not exceeding twelve days reckoned from the time of delousing;

(5) bedding which has been used, linen, wearing apparel and other articles which in the opinion of the Health Officer are infected shall be disinsectised;

(6) those parts of the aircraft which have been occupied by persons suffering from typhus or which in the opinion of the Health Officer are infected shall be disinsectised.

22. On the arrival of an aircraft suspected of typhus infection,—

- (a) the measures specified in clause (1) of rule 21 shall be taken, and
- (b) those specified in clauses (4), (5) and (6) of rule 21, and not already taken, may be taken at the discretion of the Health Officer.

Special provisions relating to Small-pox

23. (1) An aircraft shall be regarded as infected with small-pox—

- (i) if there is a case of small-pox on board, or
- (ii) if there has been a case of small-pox on board and subsequent to the occurrence of that case all the measures prescribed in rule 24 have not been taken.

(2) An aircraft shall be regarded as suspected of small-pox infection—

- (i) if there is on board any person who within fourteen days of arrival has been in contact with a case of small-pox or otherwise exposed to small-pox infection, or

- (ii) if there is on board any person who within fourteen days of arrival has been in an area where small-pox was epidemic at the time of his leaving that area.

Explanation.—Small-pox shall be regarded as being epidemic in an area in respect of which a notification to that effect has been issued by the Central Government in the official Gazette.

24. On the arrival of an aircraft infected with small-pox—

- (1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

- (2) all persons suffering from small-pox shall be disembarked and isolated for such period as the Health Officer may consider necessary;

- (3) all persons suspected to be suffering from small-pox shall be disembarked and placed under observation for such period as the Health Officer may consider necessary;

- (4) other persons suspected by the Health Officer to have been exposed to infection and who in his opinion are not sufficiently protected by vaccination effected not more than three years, and not less than twelve days, prior to the time of arrival, or by a previous attack of small-pox,

- (a) if they are willing to be vaccinated, or in the case of minors if their guardians or those in charge of them consent to their vaccination, may be subjected to vaccination free of charge, and also to surveillance for a period not exceeding fourteen days reckoned from the time of arrival of the aircraft, and

- (b) if they are not willing to be vaccinated, and in the case of minors, if their guardians or those in charge of them do not consent to their vaccination, shall be subjected to surveillance for the aforesaid period;

- (5) bedding which has been used, soiled linen, wearing apparel and other articles which in the opinion of the Health Officer are infected shall be disinfected;

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(6) those parts of the aircraft which have been occupied by persons suffering from small-pox or which in the opinion of the Health Officer are infected shall be disinfected.

25. On the arrival of an aircraft suspected of small-pox infection,—

(1) the measures specified in clauses (1) and (4) of rule 24 shall be taken, subject to the modification that any surveillance shall be for a period not exceeding fourteen days from the time of last exposure to infection; and

(2) the measures specified in clauses (5) and (6) of rule 24, and not already taken, may be taken at the discretion of the Health Officer.

Special provisions relating to other infectious diseases

26. (1) An aircraft shall be regarded as infected with an infectious disease other than yellow fever, plague, cholera, typhus or small-pox,—

(i) if there is on board a case of any such infectious disease, or

(ii) if there has been a case of any such infectious disease on board and subsequent to the occurrence of that case all the measures prescribed in rule 27 have not been taken.

(2) An aircraft shall be regarded as suspected of infection from an infectious disease other than yellow fever, plague, cholera, typhus or small-pox, if there is on board any person who within the incubation period in respect of such infectious disease has been in contact with a case of that disease or has been otherwise exposed to infection from that disease.

27. On the arrival of an aircraft infected with an infectious disease other than yellow fever, plague, cholera, typhus or small-pox,—

(1) the aircraft shall be inspected and all persons on board shall be medically examined by the Health Officer;

(2) any person suffering from an infectious disease may be disembarked, and, if the Health Officer considers it desirable, may be isolated for such period as he may consider necessary;

(3) any person suspected to be suffering from an infectious disease may be disembarked and, if the Health Officer considers it desirable, placed under observation for such period as he may consider necessary;

(4) persons who have been exposed to infection may be placed under surveillance for a period not exceeding the incubation period of the infectious disease to which they have been exposed, such period being reckoned from the time of the last exposure to infection;

(5) those parts of the aircraft and any goods or personal effects on board which, in the opinion of the Health Officer, are infected, may be disinfected.

28. On the arrival of an aircraft suspected of infection from an infectious disease other than yellow fever, plague, cholera, typhus or small-pox,—

(1) the measures specified in sub-rule (1) of rule 27 shall be taken; and

(2) the measures specified in sub-rules (4) and (5) of rule 27 and not already taken, may be taken at the discretion of the Health Officer.

**PART III
AIRCRAFT DEPARTING**

General

29. The provisions of this part shall apply to all aircraft leaving British India for any place outside India.

30. All persons leaving British India by air for a place outside India shall be medically examined by the Health Officer of the aerodrome.

31. The Health Officer shall prohibit the embarkation in any aircraft of—

- (a) any person showing symptoms of any infectious disease, and
- (b) any person whom the Health Officer considers likely to transmit infection because of his close relation with a person showing symptoms of an infectious disease:

Provided that nothing in this rule shall apply where a person suffering from an infectious disease is to be transported in an aircraft specially allocated for the purpose.

32. The Health Officer may require any person whom he suspects of being infested with lice capable of transmitting any infectious disease, to be deloused before embarking on an aircraft.

33. (1) The Health Officer may prohibit the taking on board an aircraft of any cargo or personal effects which in his opinion are infected with any infectious disease.

(2) The Health Officer may take such measures including cleansing, disinfection, disinsectisation and deratification, as he considers necessary to ensure that the aircraft, and all cargo and personal effects thereon, are not infected with any infectious disease.

34. The Health Officer shall before the departure of any aircraft enter over his signature in the journey log book particulars of the sanitary measures applied to the aircraft, particulars of the occurrence during the previous fifteen days of any infectious disease in the local area in which the aerodrome is situated, and any other relevant information necessary to enable the Health Officer at the next aerodrome to determine the health condition of the aircraft on its arrival at that aerodrome. .

Special provisions relating to Pilgrim Aircraft

35. No person shall be permitted by the Health Officer to embark on an aircraft with a view to proceeding by air to the Hedjaz on pilgrimage unless such person produces two medical certificates signed by persons who, in the opinion of the Health Officer conducting the medical examination under rule 30, are duly qualified to grant such certificates, one showing that such person has been inoculated against cholera not more than six months and not less than six days prior to the date of medical inspection, and the other showing that such person has been vaccinated against smallpox not more than three years and not less than twelve days prior to the date of medical inspection:

Provided that the Health Officer making the inspection may dispense with the certificate of vaccination if in his opinion the person has marks of a previous attack of smallpox.

PART IV

MISCELLANEOUS

36. Save as expressly provided in these Rules, no aircraft shall be detained for reasons of public health.

37. In deciding whether any, and if so what, public health measures should be applied to an aircraft, to its cargo and personal effects, or to the passengers and crew the Health Officer shall, where any discretion is left to him under these rules, take into account—

- (a) the need for detaining the aircraft for as short a time as possible, and

(b) any public health measures which have been applied elsewhere and are noted in the journey log book.

38. Aircraft to which public health measures have already been applied in the manner provided in these rules shall not be required to undergo such measures again, if since such application no incident has occurred calling for their renewed application, and the aircraft has not subsequently had, within an infected area, contact of such a nature as to render the aircraft likely to become infected.

39. The Commander of an aircraft coming from a place outside India and proceeding to a place outside India may, if he so desires, notify the Health Officer of the aerodrome in British India where the aircraft first arrives, that he does not wish to submit to any of the provisions, except the special provisions relating to yellow fever, described in Part II or Part III of these Rules; and the aircraft shall thereupon be at liberty to continue its voyage without such submission, provided that—

(a) the aircraft shall not land at any aerodrome in British India except for the purpose of taking in supplies, and shall, when taking in supplies, be so isolated as to preclude any possibility of its communicating any infectious disease to the area where it has landed;

(b) persons, personal effects and goods shall not be disembarked or landed unless such persons undertake to submit, and such personal effects and goods are subjected, to the appropriate measures prescribed by these Rules.

40. The Commander of an aircraft shall answer truthfully all questions as to health conditions on board put to him by the Health Officer, produce the journey log book and other relevant papers of the aircraft on the Health Officer's request and furnish the Health Officer with all such information and assistance as he may reasonably require for the purpose of these Rules:

41. Where any public health measures have been applied to an aircraft, the Health Officer shall on the request of the Commander or any other interested person furnish the Commander or such other person free of charge with a certificate specifying the nature of the measures applied, the methods employed, the parts of the aircraft to which the measures were applied and the reasons for their application.

42. The Health Officer shall on the request of any person arriving by an aircraft which on arrival was considered to be an infected or suspected aircraft furnish such person free of charge with a certificate showing the date of arrival and any public health measures to which he or any articles in his possession have been subjected.

43. Where any person is required under these Rules to be disembarked and isolated for any period, or to be disembarked and kept under observation for any period, the Health Officer may remove, or cause to be removed, that person to a hospital or other place approved by the Health Officer, and detain him therein for that period.

44. Whenever surveillance is required or permitted by these Rules, and

(a) it is not possible to carry out surveillance with sufficient thoroughness, or

(b) the person liable to surveillance cannot furnish a public health guarantee to the satisfaction of the Health Officer,

the Health Officer may direct that observation shall be substituted for surveillance.

45. Persons who are under surveillance, or placed under surveillance, under these Rules shall be permitted to continue their journey provided that the health authorities at subsequent landing places and at the place of destination are informed by an entry in the journey log book or otherwise of the relevant facts.

46. Persons subjected to observation or surveillance shall submit to, and comply with, all directions as to medical supervision or otherwise, which may be given by written order of a medical officer authorised in this behalf by the Central Government.

47. Every person shall comply with all directions lawfully given and all conditions lawfully imposed, by the Health Officer in pursuance of these Rules, and shall give that Officer all reasonable facilities for the discharge of any duty imposed on him by these Rules.

PART V

OFFENCES AND PENALTIES

48. No person shall throw or let fall from any aircraft any matter capable of producing an outbreak of infectious disease.

49. Whoever contravenes any provision of these Rules, or disobeys, or fails to comply with any order given in pursuance of these Rules, shall be punishable with imprisonment for a term not exceeding three months or with fine which may extend to one thousand rupees or with both.

SCHEDULE

(SEE RULE 9.)

Procedure for disinsectisation of aircraft

The interior of the aircraft shall be sprayed with "Pyrocide 20", of a quantity not less than 3 c. em. (undiluted "Pyrocide 20") to 1,000 cubic feet of air space, diluted 1 in 20 with a non-staining completely volatile kerosene oil having a flash point not lower than 120°F., when taken by the official Tagliabue cup method, a paint sprayer being used in order to ensure that the insecticide is effectively broken up into a fine spray. During such spraying and for a period of not less than 20 minutes after spraying, all openings into the aircraft shall remain tightly closed. The operation shall not be performed when the engines of the aircraft are running and arrangements will be made to ensure that the motor of the spray plant is at a safe distance from the aircraft to avoid risk of fire.

2. As an alternative to the procedure prescribed in paragraph 1 above, the interior of the aircraft shall be sprayed with one part of emulsifier added to 5 parts of .25 Pyrocide 20, this being then diluted with 200 parts of water. Sixty c. es. of this emulsion should be used for disinfection 1,000 cubic feet of airspace.

NOTE.—The method of making the emulsion mentioned above is as follows:—

The emulsifier should be added to the pyrethrum extract and the mixture thoroughly shaken. To this should be added a small measured quantity of water and the mixture again shaken. In this way water should be added gradually up to 200 parts, shaking the mixture thoroughly all the time. The resultant emulsion is stable biologically and chemically. It should be used exactly in the manner indicated in paragraph 1 above.

No. F. 13-32 (2)/36-G.—In pursuance of clause (7) of rule 2 of the Indian Aircraft (Public Health) Rules, 1940, the Central Government is pleased to declare the following areas in Africa to be infected with yellow fever, namely:—

1. Angola.
2. Anglo-Egyptian Sudan South of Khartoum.
3. Belgian Congo.
4. Cameroons.
5. Dahomey.
6. French Equatorial Africa.
7. French Guinea.
8. French West Africa.
9. Gambia.
10. Gold Coast Colony.
11. Ivory Coast.
12. Liberia.
13. Nigeria.
14. Senegal.
15. Sierra Leone.
16. Togoland.
17. Uganda.
18. Upper Volta Territory.
19. Abyssinia.
20. Spanish Guinea.
21. Eritrea.
22. Kenya.
23. Northern Rhodesia.
24. Brazil.

No. F. 13-32 (3)/36-G.—In pursuance of clause (8) of rule 2 of the Indian Aircraft (Public Health) Rules, 1940, the Central Government is pleased to declare the following further diseases to be infectious diseases, namely:—

- (1) Chickenpox.
- (2) Cerebrospinal meningitis.
- (3) Diphtheria.
- (4) Relapsing fever.
- (5) Influenzal pneumonia.

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No. F. 13-32 (4)/36-G.—In pursuance of sub-clause (b) of clause of rule 2 of the Indian Aircraft (Public Health) Rules, 1940, the Central Government is pleased to declare that the period of incubation in respect of the following infectious diseases shall be as specified against each of them, namely:—

| | |
|--|----------|
| 1) Chickenpox | 14 days. |
| (2) Cerebrospinal meningitis | 10 days. |
| (3) Diphtheria | 7 days. |
| (4) Relapsing fever | 14 days. |
| (5) Influenza pneumonia | 5 days. |

No. F. 13-32 (5)/36-G.—In exercise of the powers conferred by rule 4 of the Indian Aircraft (Public Health) Rules, 1940, the Central Government is pleased to direct that aircraft infected with yellow fever shall, on entering British India from a place outside India, land only at the Karachi Air Port or the Karachi Marine Air Port or Mauripur Aerodrome.

J. D. TYSON,
Secy. to the Govt. of India.

